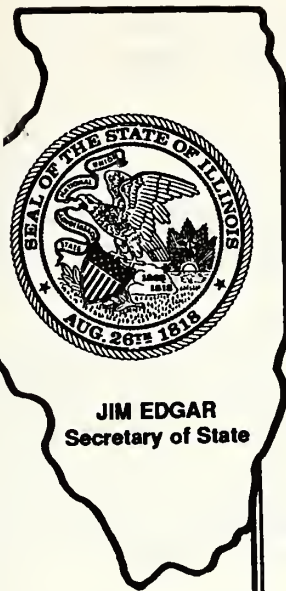


Reserve
KFI
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A21
v. 14
no. 24
Jun 15,
1990



JIM EDGAR
Secretary of State

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ILLINOIS REGISTER

Rules of Governmental Agencies

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1990

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 19, 1989	Dec. 26, 1989	1	Jan. 5, 1990	June 26, 1990	July 3, 1990	28	July 13, 1990
Dec. 26, 1990	Jan. 2, 1990	2	Jan. 12, 1990	July 3, 1990	July 10, 1990	29	July 20, 1990
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May 1, 1990	May 8, 1990	20	May 18, 1990	Nov. 5, 1990	Nov. 13, 1990	47	Nov. 26, 1990 (Mon.)
May 8, 1990	May 15, 1990	21	May 25, 1990	Nov. 13, 1990	Nov. 20, 1990	48	Nov. 30, 1990
May 15, 1990	May 22, 1990	22	June 1, 1990	Nov. 20, 1990	Nov. 27, 1990	49	Dec. 7, 1990
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June 19, 1990	June 26, 1990	27	July 6, 1990	Dec. 24, 1990	Dec. 31, 1990	2	Jan. 11, 1991

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

1) Heading of Part: Service Appeal Process

2) Code Citation: 89 Ill. Adm. Code 337

3) Section Numbers: Proposed Action

337.10	New Section
337.20	New Section
337.30	New Section
337.40	New Section
337.50	New Section
337.60	New Section
337.70	New Section
337.80	New Section
337.90	New Section
337.100	New Section
337.110	New Section
337.120	New Section
337.130	New Section
337.140	New Section
337.150	New Section
337.160	New Section
337.170	New Section
337.180	New Section
337.190	New Section
337.200	New Section
337.210	New Section

4) Statutory Authority: Ill. Rev. Stat. 1988 Supp. ch. 23, pars. 5004 and 5005.

5) A Complete Description of the Subjects and Issues Involved: Proposed new rules 337 will replace parts of 89 Ill. Adm. Code 309, Review and Appeal Process. Part 309 describes the review and appeal process for both child abuse and neglect investigations and child welfare services.

Rules 337 will provide the appeal process for Department clients who receive child welfare services. Other new rules will be proposed to provide the appeal process for persons who wish to appeal Department decisions related to Child Abuse/Neglect investigations.

Rules 337 will clarify and redefine the service appeal process. The new rules specifically address which issues/decisions can be appealed, who can file a request for an appeal, how to request an appeal, and the time frames and required notices related to the appeal process. They also implement the Administrative Procedures Act, which requires hand delivery or certified mailing of Department decisions to appellants.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

6) Will these proposed rules replace an emergency rule currently in effect?
No.

7) Does this rulemaking contain an automatic repeal date: If "yes", date: Yes ☒ No ☐

8) Do these proposed rules contain incorporations by reference? No.

9) Are there any other amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: These rules do not create or expand a state mandate as defined in Section 3 (b) of the State Mandate Act (Ill. Rev. Stat. 1988 Supp. ch. 85, par. 2203).

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication on this notice. Comments should be submitted to:

Jacqueline Nottingham, Chief
Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe
Springfield, Illinois 62701-1498
217/785-2592

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

Public hearings are scheduled for Rockford, Chicago, Springfield, East St. Louis and Marion. Persons who wish to testify at these hearings should notify the Office of Rules and Procedures in writing prior to the scheduled hearing at which testimony is to be given. All persons who provide advance written notice of their desire to present oral testimony will be allowed the opportunity to do so. Oral testimony from others will be allowed as time permits. Each testimony will be limited to 20 minutes. A written copy of the oral testimony must be submitted at the public hearing. The public hearings are scheduled as follows:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

June 25, 1990, 4:00 - 7:00 P.M.
State of Illinois Regional Building
1st Floor Conference Room
2309 West Main Street
Marion, Illinois

June 26, 1990, 4:00 - 7:00 P.M.
State of Illinois Regional Building
2nd Floor Conference Room
10 Collinsville Avenue
East St. Louis, Illinois

June 27, 1990, 4:00 - 7:00 P.M.
Lincoln Plaza Hotel
Conference Room
101 East Adams
Springfield, Illinois

July 2, 1990, 4:00 - 7:30 P.M.
Quality Inn Hotel
Conference Room
Madison at Halsted
Chicago, Illinois

July 10, 1990, 4:00 - 7:00 P.M.
State of Illinois Center
Lower Level Auditorium
200 South Wyman
Rockford, Illinois

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 25, 1990.
- B) Types of small businesses affected: Child welfare agencies, child care facilities and any other entities who contract to provide services for the Department.
- C) Reporting, bookkeeping or other procedures required for compliance: None.
- D) Types of professional skills necessary for compliance: None.

The full text of the Proposed rules begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER a: SERVICE DELIVERY

PART 337

SERVICE APPEAL PROCESS

Section	Purpose
337.10	Definitions
337.20	Who May Appeal
337.30	What May Be Appealed
337.40	What May Not Be Appealed Through the Review and Administrative Hearing Process
337.50	The Right to Appeal and Receive an Administrative Hearing
337.60	Notices of Department Decisions
337.70	How to Request a Review and Administrative Hearing
337.80	Continuing Services During the Review and Appeal Process
337.90	Timeframe for the Appeal Process
337.100	Field/Site Office Reconsideration
337.110	Regional Review
337.120	Notice of Regional Office Decision
337.130	Disposition of the Request for an Administrative Hearing
337.140	Notice Concerning the Administrative Hearing
337.150	Appeal Rights
337.160	The Hearing Officer
337.170	Combined Hearings
337.180	Final Administrative Decision
337.190	Records of Administrative Hearings
337.200	Severability of This Part
337.210	

AUTHORITY: Implementing and authorized by Sections 4 and 5 of "AN ACT creating the Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named," (Ill. Rev. Stat. 1987, ch. 23, pars. 5004 and 5005).

SOURCE: Adopted at Ill. Reg. , effective

Section 337.10 Purpose

The purpose of these rules is to explain the review and administrative hearing process which the Department guarantees to persons requesting or receiving Department services.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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Section 337.20 Definitions

"Administrator of the internal review system" means the person in each regional office who is responsible for coordinating the field/site reconsideration and regional review process.

"Administrator of the administrative hearing system" means the person who is responsible for coordinating the administrative hearing process.

"Administrative hearing" as used in this Part, means a formal review of:

- 1) a decision made by a Department regional office, or
- 2) a decision made by a Department field/site office or purchase of service provider which has been upheld by a Department regional office,

"Appellant" means the person who requests a review or administrative hearing or in whose behalf a review or administrative hearing is requested.

"Date of action" means the date on which:

- 1) a decision is made by a Department field/site office on reconsideration, or
- 2) a decision is made by the Department regional office.

"Department's representative" means the regional administrator, assistant regional administrator, supervisor or attorney who is responsible for presenting the Department's case.

"Emergency situation" means a situation in which the life, health, or physical or emotional well-being of a child is likely to be seriously threatened unless remedial action is taken immediately.

"Field office reconsideration" means the first step of the review and appeal process for decisions made by the caseworker.

"Final administrative decision" means the Department's final decision, order or determination on an appealed issue rendered by the Director in a particular case, which affects the legal rights, duties or privileges of participants and which may be appealed in the circuit court under the Administrative Review Law (Ill. Rev. Stat. 1987, ch. 110, par. 301).

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"Hearing officer" means a person who is responsible for conducting the administrative hearing.

"Imminent risk of harm" means that the child's life, health, safety or well-being are endangered if protective action is not taken immediately.

"Purchase of service provider" means an agency or individual offering services to a Department client through a signed contract with the Department for paid services.

"Regional review" means an informal review held at the Department's regional office level in order to evaluate the decision made by a Department field/site office, by a purchase of service provider or other agent.

"Services" means social services or benefits provided by the Department, its purchase of service providers or other agents under Titles IV and XX of the Social Security Act (42 U.S.C. Section 601 et seq. and 1397 et seq.) or the laws of the State of Illinois.

Section 337.30 Who May Appeal

- a) Any child or family who has requested child welfare services directly from the Department, or who has received child welfare services or day care services directly from the Department, or indirectly through its purchase of service providers or other agents, has the right to appeal any of the actions or inactions listed in Section 337.40. The appeal may be requested by:
 - 1) the child;
 - 2) the child's parents, guardian or legal custodian;
 - 3) the authorized representative of any of the above persons. Such authorization must be in writing and shall be notarized. The representative may be legal counsel, a relative, a friend or other spokesperson; or
 - 4) an individual legally acting on behalf of the above persons when they are incompetent, incapacitated, or otherwise unable to speak for themselves. A certified copy of the court's order must be provided as authorization to represent such persons.
- b) Any foster parent or related caretaker may request an appeal of a change in the child's placement to another substitute care setting. The sole issue in an appeal requested pursuant to this section

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shall be whether the interests of the foster parent or related caretaker in maintaining the placement outweigh the stated reasons for changing the placement.

- c) If an appellant has an authorized representative or an individual legally acting on the appellant's behalf, that representative or individual may exercise the rights of the appellant in the review and administrative hearing process. These rights include the right to review and copy case materials (pursuant to 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served By the Department), to receive Department notices, to speak in the review and administrative hearing process, and to take any other actions permitted an appellant in this Part.

Section 337.40 What May Be Appealed

- a) The review and administrative hearing process is applicable to all services the Department provides for children and families, whether directly, through purchase of service providers or other agents. The following issues may be appealed through the service appeal review and administrative hearing process:

- 1) the denial of a service requested by a child or family or the Department's failure to decide within 30 calendar days of the date of the request whether to grant services requested by the child or family;
 - 2) a decision to provide, reduce, suspend, or terminate services;
 - 3) the choice of permanency goals;
 - 4) the failure to review the service plan within the Department's specified time frames;
 - 5) the frequency or length of family visitation, or failure to arrange parent-child visits when the child is placed out of the home and parental rights have not been terminated; and
 - 6) a change of the child's placement.
- b) The Department may not interfere when an appellant wishes to request a review and hearing.

Section 337.50 What May Not Be Appealed Through the Review and Administrative Hearing Process

The administrator of the administrative hearing system will decide whether an issue is appropriate for the administrative hearing process pursuant to

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Section 337.40 (a). The following circumstances are inappropriate for the review and administrative hearing process:

- a) when the sole issue is one of State or Federal law regulating the automatic adjustment of services for classes of children and families;
- b) when the Department has already made a final administrative decision on the issue as a result of a previous review and hearing;
- c) when the issue is not a service issue as defined in 89 Ill. Adm. Code 302, Services Delivered By the Department. Such issues are to be appealed through a different appeal and administrative hearing process, as identified in 89 Ill. Adm. Code 435: Administrative Appeals and Hearings;
- d) when the issue regards only the Medical Assistance Program under Title XIX of the Social Security Act (42 U.S.C. Section 1396 et seq.). Appeal requests regarding Title XIX services should be sent to the Department of Public Aid; or
- e) when the issue is related to whether child abuse/neglect has occurred and the indicated finding is under appeal. In these situations, the service appeal will not be heard until the child abuse/neglect appeal is resolved within the Department.

Section 337.60 The Right to Appeal and Receive an Administrative Hearing

- a) The Department shall provide clear written instructions on how to request a review and receive an administrative hearing, if appropriate. These instructions shall be provided upon the commencement of services, during the intake assessment period, when a change of services occurs, or at any time services are requested by the child or family and denied by the Department.
- b) Information and instructions regarding a review and an administrative hearing shall be provided orally and in writing in the family's primary language.
- c) When requested, Department staff shall assist applicants or clients in requesting an appeal.

Section 337.70 Notices of Department Decisions

- a) Required Notices

Persons who may appeal pursuant to Section 337.30, prior to a change in service, have the right to receive a timely written

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notice of Department decisions. Such notice may be in the form of a revised service plan. A notice is required:

- 1) to deny services requested by the child or family;
- 2) to reduce, suspend, or terminate services;
- 3) prior to implementing a critical decision in non-emergency situations, as defined in 89 Ill. Adm. Code 305.3, Introduction to Client Service Planning.

b) Timely Notices

A notice is considered "timely" when mailed within the following time frames:

- 1) within 60 calendar days of the first contact with the child or family in response to the Department's decision to deny services;
- 2) at least 10 calendar days before the child or family receives the reduced, suspended, or terminated services; or
- 3) at least 10 calendar days before implementing a critical decision in a non-emergency situation.

c) Content of Timely Notices

Each required timely notice shall:

- 1) include a specific statement of the action the Department intends to take;
- 2) specify the proposed date for the intended action;
- 3) state the reasons supporting the action;
- 4) state that a Department review of the decision is available;
- 5) explain that the decision will be informally reviewed at the field/site office and Regional office level before an administrative hearing is granted;
- 6) indicate that if a review of the Department's decision is desired, it must be requested in writing within 30 calendar days of the postmarked date on the decision notice;
- 7) indicate that services will continue unchanged if a review of the Department's decision is requested within 10 calendar days of the date of the notice unless there is imminent risk of harm to the child if services remain unchanged;

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- 8) provide the name and address of the individual who must be contacted in order to request a review of the Department's decision;
- 9) explain that the appellant may bring a representative, witnesses or a lawyer to the administrative hearing; and
- 10) explain that the appellant requesting an administrative hearing shall submit a brief written summary which may include additional information for the Department to consider as to why the Department should change its decision.

d) Written Notice Requirements

All written notices used in this Part shall be in English or the appellant's primary language other than English, when known.

e) Delivery of Notices

Notices shall be:

- 1) hand delivered with a certificate of delivery filed, or
- 2) sent by certified mail-return receipt to "the addressee only."

Section 337.80 How to Request a Review and Administrative Hearing

- a) In order to begin the review and administrative hearing process, appellants shall, within 30 calendar days of the date of the postmarked date on the notice of the decision, ask the Department in writing, to review its decision. When the appellant requests that services be continued unchanged throughout the appeal process, a request for a review of the decision shall be made within 10 calendar days of the postmarked date on the decision notice.
- b) The service appeal request begins a three step appeal process. The three steps of the appeal process are:
 - 1) field/site office reconsideration;
 - 2) regional review; and
 - 3) the administrative hearing.
- c) The request for a service appeal must be in writing and shall be submitted to the Department staff person designated in the written notice. If the appellant is unable to request an appeal in writing at any step of the appeal process, the Department shall provide

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assistance to ensure that the request is made in writing. A field/site office reconsideration and a regional review are steps which are required before an administrative hearing is granted.

Section 337.90 Continuing Services During the Review and Appeal Process

When an appellant requests a service appeal within the 10 calendar days following the postmarked date of the timely notice, the Department shall continue to provide services unchanged during the review and appeal hearing process unless there is imminent risk of harm to the child if services remain unchanged.

Section 337.100 Timeframe for the Appeal Process

The appeal process shall begin on the day the Department receives a written request for a service appeal. The Department shall make its final administrative decision on the appealed issue and take any corrective actions specified in the decision within 120 calendar days from the date the review process began. Any delay caused by the appellant's request for a continuance or the appellant's inability to attend a scheduled hearing for adequate cause shall be excluded from the 120 calendar days.

Section 337.110 Field/Site Office Reconsideration

When an appellant appeals a Department decision, the Field Office or in Cook County, the site office shall have 10 calendar days from the date of the appellant's request for an appeal to reconsider the decision. Any additional information or evidence provided by the appellant shall be weighed in the reconsideration. If, at the end of the 10 calendar day period, the issue has not been resolved to the appellant's satisfaction, the appellant may request, in writing, a regional review of the field office reconsideration. When the appellant requests a regional review, the Department shall provide the appellant a copy of the appeal form and instructions regarding the next steps of the appeal process. The appellant's request shall be made in writing and must be received by the regional office within 15 calendar days of the postmarked date on the notice of the field office reconsideration.

Section 337.120 Regional Review

- a) If the field office did not resolve the issue to the appellant's satisfaction, the regional office shall have 20 calendar days from the date the appellant requested a regional review to review the information, contact the appellant, if necessary, and make another decision on the issue.
- b) If the regional office originally made the decision, the regional office has only 10 calendar days from the postmarked date on the notice to review the case and make a decision.

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- c) The decision from the regional review may affirm the original decision, modify the original decision, or reverse the original decision.

Section 337.130 Notice of Regional Office Decision

The regional office shall send the appellant a notice which explains the facts and information considered during the regional review and explains the decision. The notice shall also explain that if the issue has not been resolved to the appellant's satisfaction, an administrative hearing may be requested by contacting the administrator of the administrative hearing system. The appellant's request to continue the issue to an administrative hearing shall be made in writing to the administrator of the administrative hearing system and be received within 15 calendar days of the postmarked date on the notice of the regional office review decision.

Section 337.140 Disposition of the Request for an Administrative Hearing

- a) The administrator of the administrative hearing system shall grant a request for a service appeal hearing when:
 - 1) the original request for field office review was received within 30 calendar days of the postmarked date on the notice;
 - 2) the request for an administrative hearing was received within 15 calendar days of the postmarked date on the notice of the regional office review decision; and
 - 3) the issue is within the jurisdiction of the appeal system.
- b) The administrator of the administrative hearing system shall dismiss a request for a service appeal administrative hearing for the following reasons only:
 - 1) the appellant failed to request a regional review within 15 calendar days after the postmarked date of the notice of the decision at the field office reconsideration;
 - 2) the regional review has not been exhausted;
 - 3) the appeal has been withdrawn in writing; or
 - 4) the appeal has been abandoned. Abandonment shall be deemed to have occurred if the appellant, the appellant's authorized representative, or an individual legally acting on the behalf of the appellant fails to appear at the hearing and the appellant does not have an adequate cause for failing to appear. Adequate cause for failing to appear at an administrative hearing includes, but is not limited to:

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- A) Death in the family of the appellant or in the family of the appellant's representative;
- B) Severe illness of the appellant or the appellant's representative or severe illness in either person's immediate family;
- C) Severe transportation difficulties that make it extremely difficult for the appellant or representative to appear at the hearing;
- D) Failure of the Department to serve notice of the hearing to the appellant or representative at the last known address available to the Department.
- 5) the issue is not within the jurisdiction of the appeal system; or
- 6) the request for the service appeal was not received within 30 calendar days of the postmarked date of the notice. The 30 calendar day time period does not apply when the Department failed to send a required written notice, failed to act on a request within the appropriate time frames specified in this Part, or denied a request without informing the client.
- c) The Department shall give written notice of the decision to grant or deny the request for a service appeal administrative hearing within 10 calendar days of receipt of the request. If the administrator of the administrative hearing system finds that the issue is not an appealable issue under this Part, but may be appropriately heard through another appeal process (refer to 89 Ill. Adm. Code 435) the administrator shall forward the appeal to the proper hearing authority and notify the appellant of this action.

Section 337.150 Notice Concerning the Administrative Hearing

- a) The administrator of the administrative hearing system shall schedule the hearing at a date within 30 calendar days of the date the appellant stated that the regional review did not resolve the issue to the appellant's satisfaction. The hearing shall be scheduled at a time and place reasonably convenient for all parties. If the parties cannot agree to a reasonably convenient time and place, the administrator shall make this determination and subsequently schedule the hearing.
- b) The administrator of the administrative hearing system shall provide a written notice to the appellant containing the following information at least 15 calendar days before the scheduled hearing:

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- 1) the date, time and location of the hearing;
- 2) that failure to appear at the hearing without a good reason may be deemed as an abandonment of the request and shall constitute a waiver by the appellant of the right to a hearing; and
- 3) that the appellant has the appeal rights listed in Section 337.160 of this Part.

Section 337.160 Appeal Rights

- a) Appellants and the Department may require the attendance at the hearing of a Department employee, purchase of service provider or other agent who was directly involved in the decision, or other persons when these persons may have information relevant to the issues in dispute. The appellant shall request attendance by asking the administrator of the administrative hearing system to issue appropriate subpoenas. Witness fees and travel expenses for persons requested by the appellant, other than Department employees or service providers under contract with the Department, are the responsibility of the appellant.
- b) Appellants and the Department may bring a representative, including legal counsel, to the hearing. The representative as well as appellant's witnesses shall be brought at the appellant's expense or Department's expense, as applicable.
- c) Any motions from the appellant or the Department shall be filed with the administrative hearing officer at least 10 calendar days before the hearing. A copy shall be sent to the regional administrator or the appellant.
- d) Appellants and the Department's representative have the right to prohibit the introduction of any evidence which has not been made available to the appellant and the Department's representative at least 10 calendar days before the hearing.
- e) Upon the appellant's request, the Department shall provide an interpreter if English is not the appellant's primary language or if the appellant is hearing impaired.
- f) Both the appellant and the Department have the right to examine and copy documents and other information to be used by either party and to receive a list of witnesses to be called by either party at the hearing by requesting them at least 10 calendar days before the hearing. The hearing officer may prohibit the introduction of the requested evidence if not provided within the timeframe.

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- g) During the appeal hearing, the appellant and the Department have the right to:
- 1) present and question witnesses;
 - 2) present any information relevant to the issues;
 - 3) question or disprove any information, including an opportunity to question opposing witnesses; and
 - 4) dispose of any disputed issue by mutually agreeing to a resolution.

Section 337.170 The Hearing Officer

a) Appointment of the Hearing Officer

The administrator of the administrative hearing system shall select and the Director shall appoint a trained impartial hearing officer from the available pool to conduct the service appeal hearing. The hearing officer:

- 1) shall possess knowledge and information acquired through training and/or experience relevant to the field of child and family welfare law including familiarity with Department rules, procedures and functions;
- 2) shall not have been involved in the decision to take the action being appealed or have rendered legal advice to the decision-maker on the issue;
- 3) shall not have a personal or professional interest which interferes with exercising objectivity.

b) Functions of the Hearing Officer

The hearing officer shall have all authority allowed under the Illinois Administrative Procedure Act, Ill. Rev. Stat. ch. 127, par. 1000, et. seq. This authority shall include, but is not limited to the following:

- 1) conduct a fair, impartial and informal hearing in which the strict rules of evidence do not apply;
- 2) provide for the recording of the hearing;
- 3) inform participants of their individual rights and responsibilities;

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- 4) administer an oath or an affirmation to all witnesses;
- 5) quash or modify subpoenas for good cause based upon legal concepts, including but not limited to, relevance, scope, materiality and emotional harm or trauma to the subpoenaed witness;
- 6) preserve all documents and evidence for the record;
- 7) rule upon evidentiary issues and contested issues of law at the hearing or take matters under advisement pending issuance of the written opinion and recommendation;
- 8) order the removal of any person from the hearing room who is creating an unusual disturbance whether by physical actions, profanity or otherwise engaging in conduct which disrupts the hearing;
- 9) identify the issues, consider all relevant facts and receive or request any additional information necessary to decide the matter in dispute, including but not limited to the submission of briefs, memoranda of law, affidavits or post hearing briefs; and
- 10) present a written opinion and recommendation to the Director within 30 calendar days after the report of the administrative hearing is completed. This report shall include a recommended decision based exclusively on information considered at the hearing contained in the administrative record. The opinion shall set forth all issues together with all papers, physical evidence, findings of fact, conclusions of law and a recommendation based upon consideration of the best interest of the child.

c) Additional Functions

The Hearing Officer may also:

- 1) conduct prehearing and preliminary telephone conferences if necessary between the parties and/or their attorneys to provide information about the procedural aspects of the hearing, narrow the issues and discuss possible stipulations and contested points of law in order to expedite the actual hearing;
- 2) explore the possibility of a settlement regarding services; and
- 3) assist the parties in reaching an agreement on services.

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Section 337.180 Combined Hearings

When common issues are raised, the Department may respond to requests for hearings from more than one appellant by conducting a single group hearing. The Department may also combine all issues involving a single appellant in one hearing. In all group hearings, the appeal system in this Part shall apply. Individuals shall be permitted to present their own cases separately. The Department, if required for the fair efficient administration of the hearing or to prevent possible prejudice to the appellant, may sever any party or any issue from the combined hearing. The severed party or issue shall be heard separately.

Section 337.190 Final Administrative Decision

a) Making the Final Administrative Decision

The Director of the Department shall receive the recommended decision from the hearing officer and shall agree, disagree, or modify the recommended decision. The Director's decision is the final administrative decision of the Department. If the decision requires corrective action by the Department, the Director shall appoint a Department staff person who shall be responsible for assuring compliance with the decision.

b) Notice of the Availability of Judicial Review

The Department shall send a notice to the appellants as part of the final administrative decision which includes the name of the person responsible for compliance, if applicable. The appellant shall be advised that under the provisions of the Administrative Review Law (Ill. Rev. Stat. 1987, ch. 110, par. 3-101 et seq.), he or she may seek a judicial review of the Department's decision.

c) Who Receives Copies of the Final Administrative Decision

The appellant, or authorized representative, the hearing officer, the Department field/site office, the Department's representative presenting the case, and the Department's regional administrator and the administrator of the administrative hearing system shall receive a copy of the final administrative decision.

Section 337.200 Record of Administrative Hearings

The permanent record of the administrative hearing, and the final administrative decision shall be maintained by the administrator of the administrative hearing system. All hearing decisions shall be available for public inspection during regular business hours. However, confidential information shall be deleted in accordance with 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served By the Department.

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Section 337.210 Severability of This Part

If any court of competent jurisdiction finds that any section, clause, phrase, or provision of this Part is unconstitutional or invalid for any reason whatsoever, this finding shall not affect the validity of the remaining portions of this Part.

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1) The Heading of the Part: AID TO FAMILIES WITH DEPENDENT CHILDREN2) Code Citation: 89 Ill. Adm. Code 1123) Section Numbers: Proposed Action:112.110 Amendment
112.151 Amendment4) Statutory Authority: Sections 4-1.6, 4-2 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 4-1.6, 4-2 and 12-13)5) A Complete Description of the Subjects and Issues Involved: This rulemaking implements P.L. 100-201 which makes any payments relating to Agent Orange product liability exempt as income and assets for the Aid to Families with Dependent Children program.6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐8) Do these Proposed Amendments contain incorporations by reference? No9) Are there any other Proposed Amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
112.9	Amendment	February 23, 1990 (14 Ill. Reg. 2798)
112.70	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.71	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.72	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.74	Amendment	January 19, 1990 (14 Ill. Reg. 1123)

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<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
112.76	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.77	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.78	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.79	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.80	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.82	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.83	Renumbered and Amended	January 19, 1990 (14 Ill. Reg. 1123)
112.130	Amendment	April 20, 1990 (14 Ill. Reg. 5696)
112.131	Amendment	April 20, 1990 (14 Ill. Reg. 5696)
112.141	Amendment	April 20, 1990 (14 Ill. Reg. 5696)
112.143	Amendment	April 20, 1990 (14 Ill. Reg. 5696)
112.145	Amendment	April 20, 1990 (14 Ill. Reg. 5696)
112.147	Amendment	April 20, 1990 (14 Ill. Reg. 5696)
112.308	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.315	Renumbered	April 27, 1990 (14 Ill. Reg. 5923)

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<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
112.330	Amendment	April 27, 1990 (14 Ill. Reg. 5923)
112.332	Amendment	April 27, 1990 (14 Ill. Reg. 5923)
112.350	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.352	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.354	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.356	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.358	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.360	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.362	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.364	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.366	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.400	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.402	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.404	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.406	New Section	January 19, 1990 (14 Ill. Reg. 1123)

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<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
112.408	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.410	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.412	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.414	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.416	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.418	New Section	January 19, 1990 (14 Ill. Reg. 1123)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112
AID TO FAMILIES WITH DEPENDENT CHILDREN

SUBPART A: GENERAL PROVISIONS

Section
112.1 Description of the Assistance Program
112.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section
112.8 Caretaker Relative
112.9 Client Cooperation
112.10 Citizenship
112.20 Residence
112.30 Age
112.40 Relationship
112.50 Living Arrangement
112.52 Social Security Numbers
112.54 Assignment of Medical Support Rights
112.60 Lack of Parental Support or Care
112.61 Death of a Parent
112.62 Incapacity of a Parent
112.63 Continued Absence of a Parent
112.64 Unemployment of the Parent

SUBPART C: PROJECT CHANCE

Section
112.70 Registration Requirements For Project Chance
112.71 Individuals Exempt From Project Chance
112.72 Project Chance Participation/Cooperation Requirements
112.73 Failure to Participate with the Work Incentive Demonstration Program (Renumbered)
112.74 Project Chance Full Assessment Process/Development of an Employment Plan
112.76 Project Chance Orientation
112.77 Illinois Work Experience Program Evaluation Project (Renumbered)
112.78 Project Chance Components
112.79 Project Chance Sanctions
112.80 Good Cause for Failure to Comply With Project Chance Participation Requirements

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Section
112.81 Responsible Relative Eligibility For Project Chance
112.82 Project Chance Supportive Services
112.83 Employment Child Care
112.84 Work Experience Evaluation Project
112.85 Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

Section
112.86 Project Advance
112.87 Project Advance Experimental and Control Groups
112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers
112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers
112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt From Project Advance
112.95 Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

Section
112.98 Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section
112.100 Unearned Income
112.101 Unearned Income of Stepparent, Parent or Legal Guardian
112.105 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107 Initial Receipt of Unearned Income
112.108 Termination of Unearned Income
112.110 Exempt Unearned Income
112.115 Education Benefits
112.120 Incentive Allowances
112.125 Unearned Income In-Kind
112.126 Earmarked Income
112.127 Lump Sum Payments
112.128 Protected Income
112.130 Earned Income
112.131 Earned Income Tax Credit
112.132 Budgeting Earned Income

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Section
112.133 Budgeting Earned Income of Applicants Employed On Date
of Application And/Or Date Of Decision
112.134 Initial Employment
112.135 Budgeting Earned Income For Contractual Employees
112.136 Budgeting Earned Income For Non-Contractual School
Employees
112.137 Termination of Employment
112.138 Transitional Payments
112.140 Exempt Earned Income
112.141 Earned Income Exemption
112.142 Exclusion From Earned Income Exemption
112.143 Recognized Employment Expenses
112.144 Income From Work/Study/Training Program
112.145 Earned Income From Self-Employment
112.146 Earned Income From Roomer and Boarder
112.147 Income From Rental Property
112.148 Payments from the Illinois Department of Children and
Family Services
112.149 Earned Income In-Kind
112.150 Assets
112.151 Exempt Assets
112.152 Asset Disregards
112.153 Deferral of Consideration of Assets
112.154 Property Transfers
112.155 AFDC Income Limit

SUBPART H: PAYMENT AMOUNTS

Section
112.250 Grant Levels
112.251 Payment Levels in AFDC Group I Counties
112.252 Payment Levels in AFDC Group II Counties
112.253 Payment Levels in AFDC Group III Counties
112.254

SUBPART I: OTHER PROVISIONS

Section
112.300 Persons Who May Be Included in the Assistance Unit
112.301 Presumptive Eligibility
112.302 Monthly Reporting
112.303 Retrospective Budgeting
112.304 Budgeting Schedule
112.305 Strikers
112.306 Foster Care Program
112.307 Responsibility of Sponsors of Aliens
112.308 Special Needs Authorizations

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112.309 Institutional Status
112.315 Young Parent Program
112.320 Redetermination of Eligibility
112.330 Six Month Extension of Medical Assistance Due to
Increased Income from Employment
112.331 Four Month Extension of Medical Assistance Due to
Child Support Collections
112.332 Extension of Medical Assistance Due to Loss of Earned
Income Disregard

AUTHORITY: Implementing Article IV and authorized by Section
12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987
1989, ch. 23, pars. 4-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory
amendment at 2 Ill. Reg. 17, p. 117, effective February 1,
1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5,
1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective
August 30, 1978, for a maximum of 150 days; peremptory
amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978;
peremptory amendment at 2 Ill. Reg. 46, p. 56, effective
November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41,
effective April 9, 1979, for a maximum of 150 days; emergency
amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979,
for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399,
effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243,
effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243,
effective September 21, 1979, peremptory amendment at 3 Ill.
Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill.
Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill.
Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill.
Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill.
Reg. 48, p. 1, effective November 15, 1979; peremptory
amendment at 4 Ill. Reg. 9, p. 259, effective February 22,
1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25,
1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980;
amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980;
emergency amendment at 4 Ill. Reg. 29, p. 294, effective July
8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37,
p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45,
p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45,
p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766,
effective January 2, 1981; amended at 5 Ill. Reg. 1134,
effective January 26, 1981; peremptory amendment at 5 Ill. Reg.
5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071,
effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective
June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27,
1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981;

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peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; amended at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10370, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill.

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Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 8 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889,

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Section 112.110 Exempt Unearned Income (Cont'd.)

effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 11, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 22, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART B: FINANCIAL FACTORS OF ELIGIBILITY

Section 112.110 Exempt Unearned Income

- a) The following unearned income shall be exempt from consideration in determining eligibility and the level of assistance payment.
 - 1) The value of the coupon allotment under the Food Stamp Act of 1977 (7 U.S.C. 2017(b));
 - 2) The value of the U.S. Department of Agriculture donated foods (surplus commodities);
 - 3) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636);
 - 4) Any per capita judgment funds paid under Public

Section 112.110 Exempt Unearned Income (Cont'd.)

- Law 92-254 to members of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana (25 U.S.C. 1264);
- 5) Any benefits received under Title III, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended (42 U.S.C. 3030e)
- 6) Any compensation provided to individual volunteers under the Retired Senior Volunteer Program and the Foster Grandparent Program and Older Americans Community Service Programs established under Title II of the Domestic Volunteer Service Act, as amended;
- 7) Income received under the provisions of the Illinois Senior Citizens and Disabled Persons Property Tax Relief Act (Ill. Rev. Stat. 1985, Property Tax, ch. 67 1/2, par. 404 (c)). This includes both the benefits commonly known as the circuit breaker and "additional grants";
- 8) Payments to volunteers under the 1973 Domestic Volunteer Service Act (48 U.S.C. 5044 (g)). These include:
 - A) Vista Volunteers,
 - B) Volunteers serving as senior health aids, senior companions, or foster grandparents,
 - C) Persons serving in the Service Corps of Retired Executives (SCORE) or the Active Corps of Executives (ACE).
- 9) Unearned income such as need based payments, cash assistance, compensation in lieu of wages and allowances received through the Jobs Training Partnership Act.
- 10) Inconsequential income, which is defined as gifts, prizes or other unearned income (excluding those unearned income items referenced in subsections [a][1] through [a][10] above) of up to \$30 per person per quarter.

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Section 112.110 Exempt Unearned Income (Cont'd.)

- b) The following additional unearned income shall be exempt:
- 1) Social Security death benefit expended on a funeral and/or burial.
 - 2) The value of home produce which is used for personal consumption.
 - 3) The value of supplemental food assistance received under the Child Nutrition Act of 1966, as amended, (42 U.S.C. 1780(b)) and the special food service program for children under the National School Lunch Act, as amended (42 U.S.C. 1760).
 - 4) Any payments distributed per capita or held in trust for members of any Indian Tribe under Public Laws-P.L. 92-254, P.L. 93-134 or P.L. 94-450 (25 U.S.C. 1407)
 - 5) Tax exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1626)
 - 6) Experimental Housing Allowance Program payments made under Annual Contributions Contracts entered into prior to January 1, 1975 under Section 23 of the U.S. Housing Act of 1937, as amended (42 U.S.C. 1437 (f)).
 - 7) Child support payments made to an assistance unit by the Department which represents the first \$50 or any lesser amount of support collected, in a month.
 - 8) payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one-time lump sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 112.151 Exempt Assets

- a) The following assets are exempt from consideration in determining eligibility for assistance and the amount of the assistance payment:
- 1) A home which is the usual residence of the assistance unit.
 - 2) Clothing, personal effects and household furnishings.
 - 3) One automobile if the equity value does not exceed \$1500.
 - 4) The value of the coupon allotment under the Food Stamp Act of 1977 (7 USC-U.S.C. 2011 et seq.).
 - 5) The value of the U.S. Department of Agriculture donated foods (surplus commodities).
 - 6) The value of supplemental food assistance received under the Child Nutrition Act of 1966 (42 USC-U.S.C. 1771 et seq.) as amended, and the special Food service program for children under the National School Lunch Act (42 USC-U.S.C. 1751 et seq.), as amended.
 - 7) The principal and interest of a trust fund which, upon petition, the court refuses to release and one time only payments released for a specific purpose other than income maintenance needs of the child.
 - 8) Burial plots.
 - 9) prepaid Funeral Agreements worth \$1500 or less per person.
 - 10) Donations or benefits from fund raisers held for a seriously ill client provided the client or a responsible relative of the client does not have control (e.g., not available to the client or the responsible relative) over the donations or benefits or the disbursement of the donations or benefits.
- b) In addition to the above, the following assets are

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Section 112.151 Exempt Assets (Cont'd.)

exempt. These assets (listed in (1) through (9) below) remain exempt only as long as they can be separately identified if they are added to an existing account. If the amount of combined assets at any time, from the time of the receipt of the exempt asset(s) until the date of the eligibility determination or redetermination, fall below the amount of the exempted assets, only the lowest balance remains exempt.

- 1) The assets of a stepparent for purposes of determining the stepchild's eligibility.
- 2) Any benefits received under Title VII, Nutrition Program for the Elderly of the Older Americans Act of 1965 (42 USC-U.S.C. 3045 et seq.), as amended.
- 3) Any payment received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC-U.S.C. 4601 et seq.).
- 4) Any payments distributed per capita or held in trust for members of any Indian Tribe under Public Law-P.L. 92-254, Public Law-P.L. 93-134 or Public Law-P.L. 94-540.
- 5) Tax-exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (43 USC-U.S.C. 1601 et seq.).
- 6) Federally subsidized housing payments under Section 8 of the Housing and Community Development Act of 1974 (42 USC-U.S.C. 5301 et seq.), effective January 1, 1975, of the U.S. Housing Act of 1937, as amended.
- 7) Effective October 17, 1975, receipts distributed to certain Indian Tribunal members of marginal land held by the United States government.
- 8) Payments to Volunteers under the 1973 Domestic Volunteer Service Act (42 USC-U.S.C. 4951 et seq.). These include:

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Section 112.151 Exempt Assets (Cont'd.)

- A) Volunteers In Service To America (Vista) volunteers (42 USC-U.S.C. 4951 et seq.)
- B) Volunteers serving as senior health aids, senior companions, foster grandparents or persons serving in the Service Corps of Retired Executives (SCORE) (15 USC-U.S.C. 637 et seq.) and Active Corps of Executives (ACE) (15 USC-U.S.C. 637 et seq.).
- 9) Any grant or loan to an undergraduate student for educational purposes made or insured under any programs administered by the Commissioner of Education.
- 10) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one time lump sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762, (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

- 12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

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- 1) The Heading of the Part: AID TO THE AGED, BLIND OR DISABLED

- 2) Code Citation: 89 Ill. Adm. Code 113

- 3) Section Number: Proposed Action:
113.141 Amendment

- 4) Statutory Authority: Sections 3-1.2, 3-2 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 3-1.2, 3-2 and 12-13)

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking implements P.L. 101-201 which makes payments relating to Agent Orange Product Liability exempt as income and assets under the Aid to the Aged Blind or Disabled program.

- 6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

- 8) Does this Proposed Amendment contain incorporations by reference? No

- 9) Are there any other Proposed Amendment pending on this Part? Yes

Section Number	Proposed Action	Illinois Register Citation
113.9	Amendment	April 9, 1990 (14 Ill. Reg. 2811)
113.261	New Section	May 25, 1990 (14 Ill. Reg. 7813)

- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100

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SUBPART E: OTHER PROVISIONS

Section	Persons Who May Be Included In the Assistance Unit
113.300	Grandfathered Cases
113.301	Interim Assistance
113.302	Special Needs Authorizations
113.303	Retrospective Budgeting
113.304	Budgeting Schedule
113.305	Purchase and Repair of Household Furniture
113.306	Property Repairs and Maintenance
113.307	Excess Shelter Allowance
113.308	Redetermination of Eligibility
113.320	Attorney's Fees for SSI Appellants
113.500	

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987 1989, ch. 23, pars. 3-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26,

1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 6 Ill. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 12293, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective

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May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 8794, 6956, effective April 16, 1986; amended at 10 Ill. Reg. 10628, effective May 12, 1986; amended at 10 Ill. Reg. 11920, effective June 3, 1986; amended at 10 Ill. Reg. 15110, effective July 3, 1986; amended at 10 Ill. Reg. 15631, effective September 5, 1986; amended at 10 Ill. Reg. 3150, effective September 19, 1986; amended at 11 Ill. Reg. 8712, effective February 6, 1987; amended at 11 Ill. Reg. 9919, effective April 20, 1987; emergency amendment at 11 Ill. Reg. effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 24, 1988; amended at 12 Ill. Reg. 6996, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 63, 17849, effective October 25, 1988; amended at 13 Ill. Reg. effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, maximum of 150 days; emergency amendment at 13 Ill. Reg. expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section 113.141 Exempt Assets

a) The following assets are exempt from consideration in determining eligibility for assistance and the amount of the assistance payment:

- 1) Homestead property
- 2) Personal effects extraordinarily and household goods of reasonable value (reasonable value means the client's equity value in such property does not exceed \$2,000). Wedding and engagement rings and items required due to medical or physical condition.
- 3) Resources (e.g., land, buildings, equipment and supplies or tools) necessary for self-support up to \$6,000 of the individual's equity in the income producing property, provided the property produces a net annual income of at least 6% of the excluded equity value of the property. The equity value in excess of \$6,000 is applied toward the asset disregard. If the activity produces income less than 6% of the exempt equity due to reasons beyond the individual's control (for example, the individual's illness or crop failure) and there is a reasonable expectation that the individual's activity will increase to produce income equal to 6% of the equity value (e.g., the medical prognosis is that the individual is expected to respond to treatment or drought resistance corn will be planted), the property is exempt. If the individual owns more than one piece of property and each produces income, each is looked at to see if the 6% rule is met and then the amount of the individual's equity in all of those properties are totalled to see if the total equity is \$6,000 or less.

4) Automobile

- A) exclude one automobile, regardless of value, used by the client, spouse, or other dependent if:
 - i) it is necessary for employment;
 - ii) it is necessary for the medical

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Section 113.141

Exempt Assets (Cont'd)

treatment of a specific or regular medical problem;

iii) it is modified for operation by or transportation of a handicapped person; or

iv) it is necessary because of factors such as climate, terrain or distance to provide necessary transportation to perform essential daily activities.

B) if not excluded in subsection (a)(4)(A) above exclude one automobile to the extent the fair market value does not exceed \$4500. Apply the excess fair market value toward the asset disregard (see Section 113.142). The Department will determine fair market value in accordance with 89 Ill. Adm. Code 121.57(b)(2)(D)(iv).

C) for all other automobiles, apply the equity value (fair market value minus any encumbrance) toward the asset disregard (see Section 113.142).

5) Life insurance policies with a total face value of \$1,500 or less and all term life insurance policies. If total face value exceeds \$1,500, the cash surrender value must be counted as a resource.

b) Burial spaces and funds are exempt as follows:

1) Burial spaces which are intended for the use of the individual, his or her spouse, or any other member of his or her immediate family (i.e., immediate family is defined as an individual's minor and adult children, including adopted children and step-children, an individual's brothers, sisters, parents, adoptive parents, and the spouses of these individuals).

2) Funds set aside for the burial expenses of the individual and his or her spouse, subject to a limit of \$1,500 each. This limit will be reduced

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Section 113.141 Exempt Assets (Cont'd)

by the face value of any excluded life insurance policy and the amount of any funds held in an irrevocable trust or other irrevocable arrangement which are available for burial expenses.

3) Interest earned on excluded burial funds and appreciation in the value of excluded burial arrangements which occurred the earlier of the date of first SSI eligibility or the date of AABD eligibility, but no earlier than November 1, 1982 (see 20 CFR 416.1231(b)(5)(1987)).

c) Assets necessary for fulfillment of an approved plan for achieving self support.

d) Trust funds are exempt as follows:

1) The principal of a trust fund only when the instrument establishing the trust specifically states the principal cannot be impaired.

2) The principal of a trust fund established under the Self Sufficiency Trust Fund Program (Section 5-118 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987 1989, ch. 91 1/2, par. 5-118).

e) Assets excluded by express provision of 20 CFR 416.1236(1987 1989).

f) Donations or benefits from fund raisers held for a seriously ill client provided the client or a responsible relative of the client does not have control (e.g., not available to the client or the responsible relative) over the donations or benefits or the disbursement of donations or benefits.

g) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one time lump sum payment from the Agent Orange Settlement Fund or any other fund Referencing Agent Orange product liability under P.L. 101-201.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

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- 7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒
- 8) Do these Proposed Amendments contain incorporations by reference? No
- 9) Are there any other Proposed Amendments pending on this Part? Yes

- 1) The Heading of the Part: FOOD STAMPS
- 2) Code Citation: 89 Ill. Adm. Code 121
- 3) Section Number: Proposed Action:
121.10 New Section
121.63 Amendment
- 4) Statutory Authority:
89 Ill. Adm. Code 121.10
Sections 12-4.4 thru 12-4.6 and 12-13 of the Illinois Public Act Code (Ill. Reg. Stat. 1989, Ch. 23, Pars. 12-4.4 thru 12-4.6 and 12-13)
89 Ill. Adm. Code 121.63

Section Numbers	Proposed Action	Illinois Register Citation
121.23	Amendment	May 11, 1990 (14 Ill. Reg. 7006)
121.61	Amendment	April 27, 1990 (14 Ill. Reg. 5935)

- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, 100 South Grand Avenue East, Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.
- 12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendments begin on the next page:

- 5) A Complete Description of the Subjects and Issues Involved:
89 Ill. Adm. Code 121.10
This rulemaking implements a recent amendment to the Hunger Prevention Act of 1988 (P.B. 100-435) which requires the consideration of hardships associated with living in a rural area and employment or training hours which may prevent an applicant from participating in a face-to-face interview in the local office when he or she is applying for food stamps. The local office interview will be waived if requested by a qualifying household member as defined at 89 Ill. Adm. Code 121.61.
- 89 Ill. Adm. Code 121.63
This rulemaking increases the State Utility Standard from \$165.00 to \$170.00 and the State Telephone Standard from \$14.00 to \$18.00. The 1989 increases in utility costs warrant the increase in these standards.
- 6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

Section
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121.10

Application for Assistance
Time Limitations on the Disposition of an Application
Approval of an Application and Initial Authorization of Assistance
Denial of an Application
Client Cooperation
Emergency Assistance
Expedited Services
Interviews

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section
121.19
121.20
121.21
121.21
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121.29

Ending a Voluntary Quit Disqualification
Citizenship
Residence
Social Security Numbers
Work Registration/Participation Requirements
Individuals Exempt From Work Registration Requirements
Failure to Comply
Period of Disqualification
Voluntary Job Quit
Good Cause for Voluntary Job Quit
Exemptions from Voluntary Quit Rule

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section
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121.31
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121.34
121.40
121.41
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Unearned Income
Exempt Unearned Income
Education Benefits
Unearned Income In-Kind
Lump Sum Payments and Income Tax Refunds
Earned Income
Budgeting Earned Income
Exempt Earned Income

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Income from Work/Study/Training Programs
Earned Income from Roomer and Boarder
Income From Rental Property
Earned Income In-Kind
Sponsors of Aliens
Assets
Exempt Assets
Asset Disregards

Section
121.51
121.52
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SUBPART D: ELIGIBILITY STANDARDS

Section
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Net Monthly Income Eligibility Standards
Gross Monthly Income Eligibility Standards
Income Which Must Be Annualized
Deductions From Monthly Income
Coupon Allotment

SUBPART E: HOUSEHOLD CONCEPT

Section
121.70
121.71
121.72
121.73
121.74
121.75

Persons Who May Be Included in the Assistance Unit
Living Arrangement
Nonhousehold Members
Ineligible Household Members
Strikers
Students

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section
121.80
121.81
121.82
121.83
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121.91
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121.94
121.95
121.96
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Fraud Disqualification (Renumbered)
Initiation of Administrative Fraud Hearing (Repealed)
Definition of Fraud (Renumbered)
Notification To Applicant Households (Renumbered)
Disqualification Upon Finding of Fraud (Renumbered)
Court Imposed Disqualification (Renumbered)
Monthly Reporting and Retrospective Budgeting
Monthly Reporting
Retrospective Budgeting
Direct Mail Issuance of Food Stamp Coupons
Replacement of Food Stamp Coupons or ATP Documents
Restoration of Lost Benefits
Uses For Food Coupons
Supplemental Payments
Food Stamp Simplified Application Demonstration Project (Repealed)

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Section 121.120 Recertification of Eligibility
121.130 Residents of Shelters for Battered Women and their Children

121.135 Incorporation By Reference
121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers

SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section 121.150 Definition of Intentional Violations of the Program
121.151 Penalties for Intentional Violations of the Program
121.152 Notification To Applicant Households
121.153 Disqualification Upon Finding of Intentional Violation of the Program
121.154 Court Imposed Disqualification

SUBPART H: CLAIMS FOR OVERISSUANCES OF FOOD STAMP BENEFITS

Section 121.200 Types of Claims (Recodified)
121.201 Establishing a Claim for Intentional Violation of the Program (Recodified)
121.202 Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)
121.203 Collecting Claim Against Households (Recodified)
121.204 Failure to Respond to Initial Demand Letter (Recodified)
121.205 Methods of Repayment of Food Stamp Claims (Recodified)
121.206 Determination of Monthly Allotment Reductions (Recodified)
121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)
121.208 Suspension and Termination of Claims (Recodified)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 12-4.4 through 12-4.6 and 12-3).

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875 effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399 effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p.

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230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1; effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective March 10, 1980; emergency at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 29, p. 294, effective July 8, 1980 for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended (by 111. Reg. 17900, effective September 14, 1984; amended (by adding section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 6804, effective January 1, 1985; amended at 9 Ill. Reg. 8665, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective

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July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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SUBPART A: APPLICATION PROCEDURES

Section 121.10 Interviews

- a) All applicant households, including those submitting applications by mail, shall have face-to-face interviews in a food stamp office with a qualified eligibility worker prior to initial certification and all recertifications.
- b) Interview Process
 - 1) The individual interviewed may be the head of the household, spouse, any other responsible member of the household, or an authorized representative. The applicant may bring any person he/she chooses to the interview. Prior to beginning the interview, the applicant must indicate which persons are not applying for food stamps because they are unable or unwilling to provide alien status verification.
 - 2) The interviewer shall not simply review the information that appears on the application, but shall explore and resolve with the household unclear and incomplete information.
 - 3) Households shall be advised of their rights and responsibilities during the interview, including the appropriate applications processing standard and the household's responsibility to report changes.
 - 4) The interview shall be conducted as an official and confidential discussion of household circumstances. The applicant's right to privacy shall be protected during the interview. Facilities shall be adequate to preserve the privacy and confidentiality of the interview.
- c) Waiver of Office Interviews
 - 1) The office interview shall be waived if requested by any household which is unable to appoint an authorized representative and which has no household members able to come to the food stamp office because they are qualifying members as defined in Section 121.61.

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Section 121.10 Interviews (Cont'd)

2) The office interview shall also be waived on a case-by-case basis for any household which is unable to appoint an authorized representative and which has no household members able to come to the food stamp office because of transportation difficulties or similar hardships which the Department determines warrants a waiver of the office interview. These hardship conditions include, but are not limited to:

- A) illness;
- B) care of a household member;
- C) hardships due to residency in a rural area;
- D) prolonged severe weather;
- E) work or training hours which prevent the household from participating in an in-office interview.

3) The Department shall determine if the transportation difficulty or hardship reported by a household warrants a waiver of the office interview and shall document in the case file why a requests for a waiver was granted or denied.

4) The Department has the option of conducting a telephone interview or a home visit for those households for whom the office interview is waived. Home visits shall be used only if the time of the visit is scheduled in advance with the household. However, a home visit interview for redetermination of eligibility for financial assistance/recertification does not have to be scheduled with the household in advance.

5) Waiver of the face-to-face interview does not exempt the household from the verifications requirements, although special procedures may be used to permit the household to provide verification and thus obtain its benefits in a timely manner, such

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Section 121.10 Interviews (Cont'd)

a substituting a collateral contact in cases where documentary verification would normally be provided.

6) Waiver of the face-to-face interview shall not affect the length of the household's certification period.

d) The Department shall schedule all interviews as promptly as possible to ensure the eligible households receive an opportunity to participate within thirty (30) days after the application is filed.

- 1) If a household fails to appear for the first interview, the Department shall attempt to schedule another interview. The interview shall be rescheduled by the Department without requiring the household to provide good cause for failing to appear.
- 2) If the household does not appear for the rescheduled interview, the Department shall not initiate action to schedule any further interviews unless the household requests that another interview be scheduled.
- 3) For recertification applications, the Department shall schedule only one interview after the application is filed. The household is responsible for requesting another interview if the one scheduled is missed.

(Source: Added at 14 Ill. Reg. _____, effective _____)

SUBPART D: ELIGIBILITY STANDARDS

Section 121.63 Deductions From Monthly Income

The following deductions shall be allowed in the determination of the adjusted net monthly food stamp income:

a) Earned income Deduction

Eighty percent of total gross earned income is considered. (See 89 Ill. Adm. Code 121.40 through 121.54 for a description of earned income.)

- b)
- Standard Deduction
- One hundred and twelve dollars (\$112.00) per household per month.
- c)
- Dependent Care Deduction
- 1)
- Payments for the care of a child or other dependent when necessary for a household member to accept or continue employment or to seek employment in compliance with the job search criteria (contained in 89 Ill. Adm. Code 112.70 through 112.73) or to attend training or pursue education which is preparatory for employment.
- 2)
- The amount of the deduction is to be determined by the actual costs for care and is not to exceed \$160.00 per month for each dependent household member.
- d)
- Shelter Costs Deduction
- 1)
- Shelter costs that exceed 50% of the household's total income after the allowable deductions in subsections (a), (b), and (c) have been made. The shelter deduction shall not exceed \$177.00.
- 2)
- If the household contains a member who is elderly or disabled as defined at 7 CFR 271.2 (1987) and Section 121.61 "Gross Monthly Income Eligibility Standards", there is no limit on the amount of excess shelter deduction.
- 3)
- Shelter costs include only the following:
- A)
- Continuing charges for the shelter occupied by the household (rent, mortgage, and other charges leading to the ownership of the shelter, including interest on such charges).
- B)
- Property taxes, State and local assessments and insurance on the structure itself.
- C)
- Utility Costs

- i)
- Include the cost of heating, and cooking fuel, air conditioning, electricity, water, sewerage; garbage and trash collection fees; basic service fee for one telephone (including tax on the basic fee) of \$14.00-\$18.00; and fees charged by the utility provider for initial installation. Utility deposits are not utility costs.
- ii)
- Those households which are billed for heating or air conditioning, or both, separately from their rent or mortgage may claim the standard utility allowance of \$165-\$170.00. Households living in rental housing who are billed on a regular basis by a landlord for heating and/or air conditioning costs may use the standard utility allowance if utility usage is determined through a meter or otherwise is verifiable or if the charge for heating and/or air conditioning is separate and identifiable. If the standard utility allowance is used, then no other utility costs may be claimed. If actual utility costs exceed the standard utility allowance, then actual, verified costs may be claimed, except that if a separately-billed phone expense is claimed only the basic telephone allowance of \$14.00-\$18.00 per month is allowed. The client that maintains the same residence may not switch between the standard utility allowance and actual utility costs for a period of twelve months from the time of initial certification and no more frequently than once every twelve (12) months thereafter.
- iii)
- However, during the heating or cooling season, a household that is billed less often than monthly for its heating

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and/or air conditioning costs but is otherwise eligible to use the standard utility allowance may continue to use the standard utility allowance between billing months.

the current occupants of the home, if any, are not claiming the shelter costs for food stamp purposes; and the home is not leased or rented during the absence of the household.

iv) Households in public housing or privately owned rental units which receive a bill for over-usage are not entitled to use the standard utility allowance. When households (as defined at 7 CFR 273.1(a)(1987) live together, the standard utility allowance shall be divided equally among the households which contribute toward the utility costs whether or not each household participates in the program.

5) Charges for Repair of the home which was damaged or destroyed due to a natural disaster. Shelter costs shall not include repair charges which have been or will be reimbursed by private or public relief agencies, insurance companies or any other source.

e) Excess Medical Deductions

A deduction for excess medical expenses for households which contain an elderly or disabled member as defined at 7 CFR 271.2 (1987) and Section 121.6) "Gross Monthly Income Eligibility Standards". The medical expenses incurred by the qualifying household member which are over \$35 will be deducted if the expenses will not be reimbursed by insurance or a third party.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

D) Those households which are not billed separately for either heat or air conditioning are not entitled to claim the standard utility allowance but may claim the actual utility amounts for which they are billed separately, subject to the \$14-00-\$18.00 per month limitation for telephone expense.

4) Shelter Costs for a home temporarily unoccupied by the household because of employment or training away from home, illness or abandonment caused by a natural disaster or casualty loss, if, the household intends to return to the home;

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1) The Heading of the Part: HOSPITAL SERVICES

2) Code Citation: 89 Ill. Adm. Code 148

3) Section Number: 148.120
Proposed Action: Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) A Complete Description of the Subjects and Issues Involved: This rule revision, mandated by Section 1923(a)(2) of the Social Security Act, provides methodology for making outlier adjustments to payment amounts for medically necessary inpatient hospital services with exceptionally high costs for patients under one year old.

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

8) Does this Proposed Amendment contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

<u>Section Number</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
148.140	Amendment	April 13, 1990 (14 Ill. Reg. 5409)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold, Staff Attorney, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217 (782-1233). The Department will consider all written comments it receives

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within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 4, 1990

B) Types of small businesses affected: Medical Providers
C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.

D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendment begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMSPART 148
HOSPITAL SERVICES

Section
148.10 Hospital Services
148.20 Participation
148.30 General Requirements
148.40 Special Requirements
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148.60 Hospital Services Not Covered
148.70 Limitation On Hospital Services
148.80 Transplants
148.90 Heart Transplants
148.100 Liver Transplants
148.110 Bone Marrow Transplants
148.120 Disproportionate Share Hospital Adjustments
148.130 Payment for Inpatient Services for GA
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148.150 Payment for Hospital Services During Fiscal Year 1982
148.160 Payment for Hospital Services During Fiscal Year 1983
148.170 Limits on Length of Stay by Diagnosis
148.180 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting

148.190 Copayments
148.200 Payment Methodology
148.210 Non-Participating Hospitals
148.220 Pre July 1, 1989 Services
148.230 Post June 30, 1989 Services
148.240 Prepayment Review
148.250 Base Year Costs
148.260 Restructuring Adjustment
148.270 Inflation Adjustment
148.280 Groupings
148.290 Rate Calculation
148.300 Payment
148.310 Review Procedure
148.320 Alternatives
148.330 Exemptions
148.340 Subacute Alcoholism and Substance Abuse Services
148.350 Definitions
148.360 Types of Subacute Alcoholism and Substance Abuse Services
148.370 Payment for Subacute Alcoholism and Substance Abuse Services

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148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Services
148.390 Hearings

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; amended at 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 148.120 Disproportionate Share Hospital Adjustments

a) Qualified Disproportionate Share Hospitals. For inpatient services provided on or after July 1, 1989, the Department shall make adjustment payments to hospitals which are deemed as disproportionate share by the Department. A hospital may qualify for a disproportionate share adjustment in one of the following ways:

- 1) The hospital's Medicaid inpatient utilization rate, in terms of inpatient days of care provided to Title XIX recipients compared to total inpatient days of care provided, is at least one standard deviation above the mean Medicaid utilization rate. Title XIX specifically excludes General Assistance (GA) and Aid to the Medically Indigent (AMI) days but does include Medicare/Medicaid crossover days.
- 2) The hospital's low income utilization rate exceeds 25%. For this alternative, payments for all patient services (not just inpatient) for Medicaid, GA, AMI and/or any local or state government-funded care, must be counted as a percentage of all net patient service revenue. To this percentage, the percentage of total

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inpatient charges attributable to inpatient charges for charity care (less payments for GA and AMI inpatient hospital services, and/or any local or state government-funded care) must be added.

not offer nonemergency obstetrics to the general public must submit a statement to that effect.

3) Illinois hospitals that are located in a federally designated Health Manpower Shortage Area (42 CFR 5, 1989) that have a Medicaid inpatient utilization rate, as defined in subsection (a)(1) above, that is at least the mean Medicaid inpatient utilization rate for all hospitals in Illinois receiving medical assistance payments from the Department and which are located in a planning area with one-third or fewer excess beds as determined by the Illinois Health Facilities Planning Board (77 Ill. Adm. Code 1100).

4) Any children's hospital, which means a hospital devoted exclusively to caring for children. A hospital which includes a facility devoted exclusively to caring for children that is separately licensed as a hospital by a municipality shall be considered a children's hospital to the degree that the hospital's medical assistance care is provided to children.

b) In addition, to be deemed a disproportionate share hospital, a hospital must provide the Department, in writing, with the names of at least 2 obstetricians with staff privileges at the hospital who have agreed to provide obstetric services to individuals entitled to such services under a State Medicaid plan. In the case of a hospital located in a rural area (that is, an area outside of a Metropolitan Statistical Area, as defined by the Executive Office of Management and Budget), the term "obstetrician" includes any physician with staff privileges at the hospital to perform nonemergency obstetric procedures. This requirement does not apply to a hospital in which the inpatients are predominantly individuals under 18 years of age; or does not offer nonemergency obstetric services as of December 21, 1987. Hospitals that do

c) In making the determination described in subsection (a)(1) above, the Department will use the hospital's cost reports and the Department's paid claims data for the hospital's base fiscal year (i.e., calendar year 1987 for fiscal year 1989 payments, calendar year 1987 for fiscal year 1990, etc.) for information regarding Illinois Medicaid recipient utilization levels. In addition, hospital statements and verification reports from other states will be required to verify out-of-state Medicaid recipient utilization levels. Also, a hospital that was the recipient of delegated days and did not receive payment directly from the Department (i.e., the delegating hospital received payment from the Department and then reimbursed the recipient hospital) must submit information to the Department identifying the delegating hospital and documenting that the delegated days were provided by the recipient hospital.

d) Hospitals not qualifying as disproportionate share hospitals by the Department under subsection (a)(1), may be considered under subsection (a)(2) by submitting a certified financial statement.

e) Inpatient Payment Adjustments to Disproportionate Share Hospitals. The adjustment payments required by subsection (a) above shall be calculated annually as follows:

1) Hospitals qualifying as disproportionate share hospitals under subsections (a)(1) and (a)(2) will receive an add-on payment to their inpatient rate. The distribution method is based upon a fund of \$5M. All hospitals qualifying under subsection (a)(1) and subsection (a)(2) will receive a five dollar (\$5) per day add-on to their current rate. The total cost of this adjustment is calculated by multiplying each hospital's most recent completed fiscal year Medicaid inpatient utilization data by five dollars (\$5). The total dollar amount of this calculation is then subtracted from the \$5M

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fund. The remaining fund balance is then distributed to the hospitals that qualify under subsection (a)(1) above in proportion to the percentage by which the hospital's Medicaid inpatient utilization rate exceeds one standard deviation above the State's mean Medicaid inpatient utilization rate. This is done by finding the ratio of each hospital's percent Medicaid utilization to the State's mean plus one standard deviation percent Medicaid value. These ratios are then summed and each hospital's proportion of the total is calculated. These proportional values are then multiplied by each hospital's most recent completed fiscal year paid inpatient day values. These weighted values are summed and each hospital's proportion of the summed weighted value is calculated. Each individual hospital's proportional value is then multiplied against the \$5M pool of money available after the five dollars (\$5) per day base add-on has been subtracted. The total dollar amount calculated for each hospital (plus the initial five dollars (\$5) per day add-on amount) is then divided by the inpatient day projections to arrive at per day add-on value. Hospitals qualifying under subsection (a)(2), will receive the minimum adjustment of five dollars (\$5) per inpatient day.

2) In addition to the adjustment methodology described in subsection (e)(1) above, all disproportionate share hospitals described in subsection (a) shall receive a payment adjustment which will be calculated annually as follows:

- A) The hospital's inpatient payment rate shall be multiplied by .0734, the product which shall then be multiplied by the sum of the following:
 - i) the hospital's occupancy ratio multiplied by .75;
 - ii) the hospital's Medicaid inpatient utilization rate; and

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Section 148.120 Disproportionate Share Hospital Adjustments
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iii) the hospital's Medicare utilization differential.

B) The amount calculated pursuant to subsection (e)(2) above shall be added to 20, and this sum plus any applicable amount calculated under subsection (e)(1) shall be the inpatient payment adjustment in dollars for the applicable fiscal year.

f) Children's Hospital Inpatient Payment Adjustment. For children's hospitals, as defined in subsection (a)(4), the amount calculated pursuant to subsection (e)(2)(A) shall be multiplied by 2.0.

g) Inpatient Payment Adjustment Definitions. The definitions of terms used with reference to calculation of the inpatient payment adjustments are as follows:

1) "Medicaid inpatient utilization rate" means a fraction, the numerator of which is the number of a hospital's inpatient days provided in a given 12-month period to patients who, for such days, were eligible for Medicaid under Title XIX of the Federal Social Security Act (42 U.S.C. Sec. 1396a et. seq.) and the denominator of which is the total number of the hospital's inpatient days in that same period.

2) "Mean medical assistance inpatient utilization percentage" means the total number of medical assistance inpatient days provided by all Medicaid-participating hospitals divided by the total number of inpatient days provided by those same hospitals.

3) "Medicare utilization differential" means a hospital's Medicare inpatient utilization percentage minus the mean Medicare inpatient utilization percentage; provided, however, that in no event shall the Medicare utilization differential be less than zero.

4) "Medicare inpatient utilization percentage" means

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a fraction, the numerator of which is the number of a hospital's inpatient days provided in a given 12-month period to patients who, for such days, were eligible for Medicare under Title XVIII of the federal Social Security Act, and the denominator of which is the total number of the hospital's inpatient days in that same period.

5) "Mean Medicare inpatient utilization percentage" means the total number of Medicare inpatient days provided by all Illinois hospitals divided by the total number of inpatient days provided by those same hospitals.

6) "Occupancy ratio" means a fraction, the numerator of which is the hospital's occupancy rate as determined by the Illinois Department of Public Health and the denominator of which is the mean occupancy rate of:

- A) all Illinois hospitals located within Metropolitan Statistical Areas when calculating the occupancy ratio for a hospital located within a Metropolitan Statistical Area; or
- B) all Illinois hospitals located outside of Metropolitan Statistical Areas when calculating the occupancy ratio for a hospital located outside of any Metropolitan Statistical Area.

7) "Mean occupancy rate" means the sum of occupancy rates, as determined by the Illinois Department of Public Health, of all hospitals within a category of hospitals described in subsection (g)(6) divided by the total number of hospitals in such category.

h) Payments to Participating Out-of-State Hospitals. For purposes of the determination described in subsection (a)(1), out-of-state hospitals will be measured in relationship to the mean Medicaid inpatient utilization rate in their state. Out-of-state hospitals which do not qualify by the Medicaid

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inpatient utilization rate from their state may submit a certified financial statement as described in subsection (d). Payments to out-of-state hospitals will be allocated using the same method as described in subsection (e).

i) Time Limitation for Additional Information Requirements. Beginning with state fiscal year 1991 ("FY '91") determinations for disproportionate share, submittal of information required in subsections (a)(2), (b), (c) and (d) must be received no later than June 30th of the state's fiscal year immediately preceding the fiscal year for which the hospital is requesting consideration of such information for the determination of disproportionate share qualification (i.e., for the FY'91 determination, information must be received no later than June 30, 1990). Information required in subsections (a)(2), (b), (c) and (d) which is not received in compliance with these time limitations will not be considered for the determination of those hospitals qualified for disproportionate share payment adjustments.

j) Outlier Adjustments. For inpatient services provided on or after July 1, 1989, the Department shall make outlier adjustments to payment amounts for medically necessary inpatient hospital services involving exceptionally high costs for individuals under one year of age, when such services were provided by hospitals defined by the Department as disproportionate share under subsection (a). The Department is not required to provide outlier adjustments for exceptionally long lengths of stay as there are no durational limits on inpatient stays and the Department reimburses the hospital on a per diem or per day basis regardless of the length of stay as long as such stay was medically necessary. The determination of those services qualified for an outlier adjustment will be made as follows:

- 1) The services must have been provided on or after July 1, 1989, to individuals under one year of age.
- 2) The services must have been provided by hospitals

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defined by the Department as disproportionate share under subsection (a).

3) Claims with total covered charges equal to or above the mean total covered charges plus one standard deviation may qualify for outlier adjustments once the following calculations have been performed:

A) Total covered charges equal to or exceeding one standard deviation above the mean shall be multiplied by the hospital's cost to charge ratio.

B) The hospital's rate for services provided on the claim shall be multiplied by the number of covered days on the claim.

C) The product of subsection (j)(3)(B) above shall be subtracted from the product of subsection (j)(3)(A) above.

D) The difference of subsection (j)(3)(C) above shall be multiplied by .25, the product of which shall be the outlier adjustment for the claim.

E) Third party liabilities shall be applied to the final payment made on the claim.

k) Definition of terms relating to outlier adjustments are as follows:

1) "Total covered charges" means the amount entered on the UB-82 Uniform Billing Form for revenue code 001 in column 53 (Total Charges), minus the amount in column 54 (Non-Covered Charges) for revenue code 001.

2) "Mean total covered charges" means the mean total covered charges (as described in subsection (k)(1) above) for all claims for inpatient services provided by the hospital to individuals under the age of one in the previous state fiscal year which have been paid by the Department.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 148.120 Disproportionate Share Hospital Adjustments
(Cont'd)

3) "Cost to Charge Ratio" means the hospital's trended cost per diem for all care divided by the total covered charges for all care.

4) "Trended Cost Per Diem" means the Medicaid cost per diem which is derived by utilizing cost report data from the hospital's base fiscal year (i.e., calendar year 1987 for fiscal year 1990 payments, calendar year 1988 for fiscal year 1991 payments, etc). The total Medicaid cost from the Hospital Statement of Cost Settlement page entitled Hospital Statement of Cost/Computation of Reimbursement Settlement, line 1 (Total Reasonable Cost of Covered Services) shall be divided by the total Medicaid adult days plus one-third of the Medicaid newborn days. The resulting quotient is the Medicaid cost per diem which is inflated to the current fiscal year by multiplying the Medicaid cost per diem by the DRI factor, based upon each hospital's fiscal year month end.

5) "DRI factor" means the rate of inflation as calculated utilizing the methods and index developed and published by Data Resources, Inc., national market basket price proxies, hospital inpatient general routine operating cost (DRI).

6) "Total covered charges for all care" means total covered charges (as described in subsection (k)(1) above) for all claims for inpatient services provided by the hospital to individuals covered under the Medical Assistance program in the previous state fiscal year which have been paid by the Department.

7) "Rate for services provided" means the inpatient rate in effect for the type of services provided.

(Source: Amended at 14 Ill. Reg. , effective)

DEPARTMENT OF PUBLIC AID

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NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: MEDICAL ASSISTANCE PROGRAMS

Section Numbers Proposed Action Illinois Register Citation

2) Code Citation: 89 Ill. Adm. Code 120

120.208 Amendment February 23, 1990
(14 Ill. Reg. 2831)

3) Section Number: Proposed Action:

120.235 Amendment March 16, 1990
(14 Ill. Reg. 4081)

120.335 Amendment

4) Statutory Authority: Sections 5-4 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-4 and 12-13)

120.281 Amendment March 16, 1990
(14 Ill. Reg. 4081)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking implements P.L. 101-201 which makes any payments relative to Agent Orange Product Liability exempt as income and assets for the Medical Assistance Program - No Grants.

120.308 Amendment February 23, 1990
(14 Ill. Reg. 2831)

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

120.370 Amendment April 27, 1990
(14 Ill. Reg. 5954)

7) Does this rulemaking contain an automatic repeal date?

120.390 Amendment April 20, 1990
(14 Ill. Reg. 5724)

Yes X No

8) Does this Proposed Amendment contain incorporations by reference? No

120.391 Amendment April 20, 1990
(14 Ill. Reg. 5724)

9) Are there any other Proposed Amendments pending on this Part? Yes

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

Section Numbers Proposed Action Illinois Register Citation

120.11 Amendment April 20, 1990
(14 Ill. Reg. 5724)120.31 Amendment April 20, 1990
(14 Ill. Reg. 5724)120.60 Amendment April 20, 1990
(14 Ill. Reg. 5724)120.61 Amendment March 17, 1989
(13 Ill. Reg. 3281)120.64 Amendment April 20, 1990
(14 Ill. Reg. 5724)

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building, 100 South Grand Avenue East, Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
120.1

Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

Section
120.10
120.11

Eligibility For Medical Assistance
Eligibility For Medical Assistance For Pregnant
Women and Children Under Age Six Who Do Not Qualify
As Mandatory Categorically Needy
MANG(AABD) Income Standard
MANG(C) Income Standard
MANG(P) Income Standard
Exceptions To Use Of MANG Income Standard
AMI Income Standard

120.20
120.30
120.31
120.40
120.50

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section
120.60

All Cases Other Than Intermediate Care, Skilled
Nursing Care, DMHDD, DMHDD Approved Community Based
Settings and Pregnant Women and Children Under Age
Six Who Do Not Qualify As Mandatory Categorically
Needy

Cases in Intermediate Care, Skilled Nursing Care and
DMHDD - MANG(AABD)
Department of Mental Health and Developmental
Disabilities (DMHDD) Approved Home and Community
Based Residential Settings Under 89 Ill. Adm. Code
140.643

Department of Mental Health and Developmental
Disabilities (DMHDD) Approved Home and Community
Based Residential Settings
Pregnant Women and Children Under Age Six Years Who
Do Not Qualify As Mandatory Categorically Needy

120.61

120.62

120.63

120.64

SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section
120.70

Supplementary Medical Insurance Benefits, Buy-In
Program
Eligibility for Medicare Cost Sharing as a Qualified
Medicare Beneficiary (QMB)
Qualified Medicare Beneficiary (QMB) Income Standard
Hospital Insurance Benefits (HIB)

120.72

120.74

120.76

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section
120.80

Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section
120.90
120.91

Migrant Medical Program
Income Standards

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section
120.208
120.210
120.211
120.212

Client Cooperation
Citizenship
Residence
Age

120.215

120.216

120.217

120.218

120.224

120.225

120.230

120.235

120.236

120.240

120.245

120.250

120.255

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120.273

120.275

Living Arrangement
Supplemental Payments
Institutional Status
Foster Care Program
Social Security Numbers
Unearned Income
Exempt Unearned Income
Education Benefits
Unearned Income In-Kind
Earmarked Income
Lump Sum Payments and Income Tax Refunds
Protected Income
Earned Income
Budgeting Earned Income
Exempt Earned Income
Recognized Employment Expenses
Income From Work/Study/Training Program
Earned Income From Self-Employment
Earned Income From Roomer and Boarder
Earned Income In-Kind

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section
120.276 Payments from the Illinois Department of Children and Family Services
Assets
120.280 Exempt Assets
120.281 Asset Disregards
120.282 Deferral of Consideration of Assets
120.283 Spend-down of Assets (AMI)
120.284 Property Transfers
120.285 Persons Who May Be Included in the Assistance Unit
120.290 Payment Levels for AMI
120.295

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section
120.308 Client Cooperation
120.309 Caretaker Relative
120.310 Citizenship
120.311 Residence
120.312 Age
120.313 Blind
120.314 Disabled
120.315 Relationship
120.316 Living Arrangements
120.317 Supplemental Payments
120.318 Institutional Status
120.319 Assignment of Rights to Medical Support and Collection of Payment
120.320 Cooperation in Establishing Paternity and Obtaining Medical Support
120.321 Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.322 Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.323 Suspension of Paternity Establishment and Obtaining Medical Support Upon Finding Good Cause
120.324 Foster Care Program
120.325 Social Security Numbers
120.330 Unearned Income
120.332 Budgeting Unearned Income
120.335 Exempt Unearned Income
120.336 Education Benefits
120.338 Incentive Allowance
120.340 Unearned Income In-Kind
120.342 Court Ordered Child Support Payments of Parent/Step-Parent
120.345 Earmarked Income

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section
120.346 Medicaid Qualifying Trusts
120.350 Lump Sum Payments and Income Tax Refunds
120.355 Protected Income
120.360 Earned Income
120.361 Budgeting Earned Income
120.362 Exempt Earned Income
120.364 Earned Income Exemption
120.366 Exclusion From Earned Income Exemption
120.370 Recognized Employment Expenses
120.371 Income From Work/Study/Training Programs
120.372 Earned Income From Self-Employment
120.373 Earned Income In Kind
120.375 Payments from the Illinois Department of Children and Family Services
120.376 Assessments of Assets
120.379 Assets
120.380 Exempt Assets
120.381 Asset Disregard
120.382 Deferral of Consideration of Assets
120.383 Spend-down of Assets (MANG)
120.384 Property Transfers for Applications Filed Prior to October 1, 1989
120.385 Property Transfers Effective for Applications Filed on or After October 1, 1989
120.386 Persons Who May Be Included in the Assistance Unit
120.390 Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG and Children Under Age Six
120.391 Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
120.392 Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project.
120.393 Payment Levels for MANG
120.395 Redetermination of Eligibility
120.399

AUTHORITY: Implementing Articles III, IV, V, VI and VII and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987 1989, Ch. 23, Pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective 1978;

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective June 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987;

Section 120.335

Section 120.335

amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective May 13, 1988; amended at 12 Ill. Reg. 8672, effective May 20, 1988; amended at 12 Ill. Reg. 9132, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11483, effective July 1, 1988, for a maximum of 150 days; Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 13 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. _____, effective _____.

1) For a MANG client (excluding long term care), the

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section 120.335

Section 120.335

a) MANG (AABD)

1) For a MANG client (excluding long term care), the

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 120.335 Exempt Unearned Income (Cont'd.)

- established under Title II of the Domestic Volunteer Service Act, as amended;
- 7) Income in an amount not greater than \$650 received by a beneficiary of life insurance which is expended on the funeral and burial of an insured recipient;
 - 8) Income received under the provisions of Section 4(c) of the Illinois Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act (Ill. Rev. Stat. 1987-1989, ch. 67 1/2, par. 404 (c)). This includes both the benefits commonly known as the circuit breaker and "additional grants";
 - 9) Payments to volunteers under the 1973 Domestic Volunteer Service Act. (48 U.S.C. 5044 (q)) These include:
 - A) Vista Volunteers;
 - B) Volunteers serving as senior health aids, senior companions, or foster grandparents;
 - C) Persons serving in the Service Corps of Retired Executives (SCORE) or the Active Corps of Executives (ACE); and
 - 10) Unearned income such as need based payments, cash assistance, compensation in lieu of wages and allowances received through the Jobs Training Partnership Act.
- c) The following additional unearned income shall be exempt:
- 1) Social Security death benefit expended on a funeral and/or burial.
 - 2) The value of home produce which is used for personal consumption.
 - 3) The value of supplemental food assistance received under the Child Nutrition Act of 1966, as amended, (42 U.S.C. 1780(b)) and the special

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 120.335 Exempt Unearned Income (Cont'd.)

- food service program for children under the National School Lunch Act, as amended (42 U.S.C. 1760).
- 4) Any payments distributed per capita or held in trust for members of any Indian Tribe under Public-Laws-P.L. 92-254, P.L. 93-134 or P.L. 94-450 (25 U.S.C. 1407).
 - 5) Tax exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1626).
 - 6) Experimental Housing Allowance Program payments made under Annual Contributions Contracts entered into prior to January 1, 1975 under Section 23 of the U.S. Housing Act of 1937, as amended (42 U.S.C. 1437 (f)).
 - 7) The first \$50 of the total child support payments received each month on behalf of the assistance unit members. The amount of up to \$50 exempted is based on the total child support received in a month, regardless of the number of parents who contribute. Both court ordered and voluntary payments are considered when exempting the first \$50 of child support payments.
 - 8) A Title IV-E adoption assistance payment or foster care payments received from a state welfare agency of another state.
 - 9) Income from a trust fund established under the Self Sufficiency Trust Fund Program (Section 5-118 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987-1989, ch. 91 1/2, par. 5-118).
 - 10) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one-time lump sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201.
- (Source: Amended at 14 Ill. Reg. _____, effective _____)

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: REIMBURSEMENT FOR NURSING COSTS
FOR GERIATRIC FACILITIES

2) Code Citation: 89 Ill. Adm. Code 147

3) Section Numbers: Proposed Action:

147.300 New Section
147.305 New Section
147.310 New Section
147.315 New Section
147.320 New Section
147.325 New Section
147.330 New Section
147.335 New Section
147.340 New Section
147.345 New Section
147.350 New Section

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, pars. 5-5.1 et seq. and 12-13).

5) A Complete Description of the Subjects and Issues Involved: This rulemaking allows the Department to reimburse nursing facilities for specialized services provided residents. This rulemaking is enacted under Section 4201 (e)(7)(c)(i) of the Omnibus Reconciliation Act of 1987. The estimated annual cost of the program is \$43.8 million.

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐

8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation
147.150 Amendment May 4, 1990
(14 Ill. Reg. 6664)

NOTICE OF PROPOSED AMENDMENTS

Section Numbers Proposed Action Illinois Register Citation
147.250 Amendment April 13, 1990
(14 Ill. Reg. 5434)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Dan Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 1, 1990

B) Types of small businesses affected: Medical providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required

D) Types of professional skills necessary for compliance: No new skills required

The full text of the proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page 9525.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Health amends various sections of the Illinois Formulary for the Drug Product Selection Program. Several new generic entities have also been concurrently included. These changes have been recommended by the Technical Advisory Council for the Drug Product Selection Program and have been published in the Eleventh Edition, First Supplement of the Illinois Formulary.

This rulemaking will allow consumers and third party fiscal intermediaries (including the Department of Public Aid) to save money when purchasing or reimbursing prescription drug products. Drug purchases made by the Department of Corrections and the Department of Mental Health and Developmental Disabilities may also experience some savings. Pharmacies may have increased sales of generic drug products as approved in the Illinois Formulary.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? Yes.

7) Does this Rulemaking Contain an Automatic Repeal Date? No.

8) Does this Rulemaking Contain Any Incorporations By Reference? No.

9) Are there any other Proposed Amendments Pending on this Part? Yes.

Section Numbers	Proposed Action	Ill. Reg. Citation
790.80	Amendment	14 Ill. Reg. 4437
790.500	Amendment	14 Ill. Reg. 4437
790.548	Amendment	14 Ill. Reg. 4437
790.620	Amendment	14 Ill. Reg. 4437
790.740	Amendment	14 Ill. Reg. 4437
790.860	Amendment	14 Ill. Reg. 4437
790.900	Amendment	14 Ill. Reg. 4437
790.1060	Amendment	14 Ill. Reg. 4437
790.1300	Amendment	14 Ill. Reg. 4437
790.1420	Amendment	14 Ill. Reg. 4437
790.1660	Amendment	14 Ill. Reg. 4437
790.1686	Amendment	14 Ill. Reg. 4437
790.1700	Amendment	14 Ill. Reg. 4437
790.1740	Amendment	14 Ill. Reg. 4437
790.1858	Amendment	14 Ill. Reg. 4437
790.1950	Amendment	14 Ill. Reg. 4437
790.2097	New Section	14 Ill. Reg. 4437
790.2260	Amendment	14 Ill. Reg. 4437
790.2380	Amendment	14 Ill. Reg. 4437
790.2460	Amendment	14 Ill. Reg. 4437
790.2462	New Section	14 Ill. Reg. 4437
790.2500	Amendment	14 Ill. Reg. 4437
790.2540	Amendment	14 Ill. Reg. 4437

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

790.2580	Amendment	14 Ill. Reg. 4437
790.2603	Amendment	14 Ill. Reg. 4437
790.2614	Amendment	14 Ill. Reg. 4437
790.2618	Amendment	14 Ill. Reg. 4437
790.2661	New Section	14 Ill. Reg. 4437
790.2662	New Section	14 Ill. Reg. 4437
790.2780	Amendment	14 Ill. Reg. 4437
790.3025	Amendment	14 Ill. Reg. 4437
790.3032	Amendment	14 Ill. Reg. 4437
790.3033	Amendment	14 Ill. Reg. 4437
790.3049	Amendment	14 Ill. Reg. 4437
790.3051	Amendment	14 Ill. Reg. 4437
790.3140	Amendment	14 Ill. Reg. 4437
790.3300	Amendment	14 Ill. Reg. 4437
790.3492	Amendment	14 Ill. Reg. 4437
790.3540	Amendment	14 Ill. Reg. 4437
790.3742	Amendment	14 Ill. Reg. 4437
790.3910	Amendment	14 Ill. Reg. 4437
790.3940	Amendment	14 Ill. Reg. 4437
790.3945	Amendment	14 Ill. Reg. 4437
790.4060	Amendment	14 Ill. Reg. 4437
790.4180	Amendment	14 Ill. Reg. 4437
790.4220	Amendment	14 Ill. Reg. 4437
790.4384	New Section	14 Ill. Reg. 4437
790.4396	Amendment	14 Ill. Reg. 4437
790.4430	Amendment	14 Ill. Reg. 4437
790.4580	Amendment	14 Ill. Reg. 4437
790.4660	Amendment	14 Ill. Reg. 4437
790.4665	Amendment	14 Ill. Reg. 4437
790.4667	Amendment	14 Ill. Reg. 4437
790.4670	Amendment	14 Ill. Reg. 4437
790.4700	Amendment	14 Ill. Reg. 4437
790.4728	New Section	14 Ill. Reg. 4437
790.4725	New Section	14 Ill. Reg. 4437
790.5020	Amendment	14 Ill. Reg. 4437
790.5060	Amendment	14 Ill. Reg. 4437
790.5140	Amendment	14 Ill. Reg. 4437
790.5300	Amendment	14 Ill. Reg. 4437
790.5340	Amendment	14 Ill. Reg. 4437
790.5420	Amendment	14 Ill. Reg. 4437
790.5500	Amendment	14 Ill. Reg. 4437
790.5620	Amendment	14 Ill. Reg. 4437
790.5740	Amendment	14 Ill. Reg. 4437
790.5820	Amendment	14 Ill. Reg. 4437
790.5860	Amendment	14 Ill. Reg. 4437
790.5872	Amendment	14 Ill. Reg. 4437
790.5900	Amendment	14 Ill. Reg. 4437
790.5940	Amendment	14 Ill. Reg. 4437

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790.6140	Amendment	14	Ill. Reg.	4437
790.6180	Amendment	14	Ill. Reg.	4437
790.6570	Amendment	14	Ill. Reg.	4437
790.6580	Amendment	14	Ill. Reg.	4437
790.6620	Amendment	14	Ill. Reg.	4437
790.6621	Repealer	14	Ill. Reg.	4437
790.6780	Amendment	14	Ill. Reg.	4437
790.6820	Amendment	14	Ill. Reg.	4437
790.6940	Amendment	14	Ill. Reg.	4437
790.6980	Amendment	14	Ill. Reg.	4437
790.7100	Amendment	14	Ill. Reg.	4437
790.7120	Amendment	14	Ill. Reg.	4437
790.7140	Amendment	14	Ill. Reg.	4437
790.7160	New Section	14	Ill. Reg.	4437
790.7180	Amendment	14	Ill. Reg.	4437
790.7260	Amendment	14	Ill. Reg.	4437
790.7278	Amendment	14	Ill. Reg.	4437
790.7280	Amendment	14	Ill. Reg.	4437
790.7284	Amendment	14	Ill. Reg.	4437
790.7400	Amendment	14	Ill. Reg.	4437
790.7500	Amendment	14	Ill. Reg.	4437
790.7540	Amendment	14	Ill. Reg.	4437
790.7700	Amendment	14	Ill. Reg.	4437
790.7740	Amendment	14	Ill. Reg.	4437
790.7820	Amendment	14	Ill. Reg.	4437
790.7828	Amendment	14	Ill. Reg.	4437
790.7834	Amendment	14	Ill. Reg.	4437
790.7860	Amendment	14	Ill. Reg.	4437
790.8015	Amendment	14	Ill. Reg.	4437
790.8020	Amendment	14	Ill. Reg.	4437
790.8060	Amendment	14	Ill. Reg.	4437
790.8136	Amendment	14	Ill. Reg.	4437
790.8232	Amendment	14	Ill. Reg.	4437
790.8290	Amendment	14	Ill. Reg.	4437
790.8300	Amendment	14	Ill. Reg.	4437
790.8378	Amendment	14	Ill. Reg.	4437
790.8460	Amendment	14	Ill. Reg.	4437
790.8540	Amendment	14	Ill. Reg.	4437
790.8660	Amendment	14	Ill. Reg.	4437
790.8700	Amendment	14	Ill. Reg.	4437
790.8900	Amendment	14	Ill. Reg.	4437
790.8940	Amendment	14	Ill. Reg.	4437
790.9020	Amendment	14	Ill. Reg.	4437
790.9045	Amendment	14	Ill. Reg.	4437
790.9060	Amendment	14	Ill. Reg.	4437
790.9084	Amendment	14	Ill. Reg.	4437
790.9180	Amendment	14	Ill. Reg.	4437
790.9340	Amendment	14	Ill. Reg.	4437

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790.9380	Amendment	14	Ill. Reg.	4437
790.9420	Amendment	14	Ill. Reg.	4437
790.9800	Amendment	14	Ill. Reg.	4437

There is still an emergency in effect on Sections 790.740, 790.860, 790.2260, 790.2540, 790.2662, 790.2780, 790.4396, 790.5140, 790.5300, 790.5420, 790.5620, 790.5820, 790.5900, 790.6180, 790.7260, 790.7278, 790.7280, 790.7400, 790.7500, 790.7700, 790.8020, 790.8136 and 790.9084 which is not affected by this set of emergency amendments. The emergency amendments appear at 14 Ill. Reg. 4620, effective March 9, 1990, for a maximum of 150 days. The copies filed in the Administrative Code Unit reflect both emergency rules.

10) Statement of Statewide Policy Objectives:

This proposed rulemaking neither creates nor expands a State mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

June 1, 1990

B) Type of Small Businesses Affected:

Outpatient pharmacies

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C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

As has always been the case with any instance of drug product selection, these proposed amendments would require appropriate documentation of generically interchanged prescriptions on the pharmacy prescription record.

D) Types of Professional Skills Necessary for Compliance:

Participants in the Drug Product Selection Program would need professional skills such as:

- an understanding of Illinois drug statutes, including the Illinois Food, Drug and Cosmetic Act and the Pharmacy Practice Act, and;
- an in-depth understanding of the issues concerning the bioequivalency of drug products, and;
- a license to practice pharmacy in the State of Illinois.

The Proposed Amendments are identical to the text of the Emergency Amendments which appear on page 9562 of this issue of the Illinois Register.

1) Heading of the Part: Access to Public Records

2) Code Citation: 2 Ill. Adm. Code 1176

3) Section Numbers: Proposed Action:

1176.110	amendment
1176.310	amendment
1176.400	amendment
1176.410	amendment

4) Statutory Authority: Implementing The Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, pars. 201 et seq.) and Section 4.01 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1004.01) and authorized by Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, par. 3434).

5) A Complete Description of the Subjects and Issues involved: The amendments to Part 1176 have been proposed in order to clarify DORS procedures for providing public records to requestors.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date?

Yes ☒ No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

NOTICE OF PROPOSED AMENDMENTS

Ms. Janice Lobb
Regulations and Training Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

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90 DEPARTMENT OF REHABILITATION SERVICES 90

NOTICE OF PROPOSED AMENDMENTS

TITLE 2: GOVERNMENTAL AGENCIES
SUBTITLE D: CODE DEPARTMENTS
CHAPTER XX: DEPARTMENT OF REHABILITATION SERVICES

PART 1176
ACCESS TO PUBLIC RECORDS

SUBPART A: INTRODUCTION

Section
1176.10 Summary and Purpose
1176.20 Definitions

SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

Section
1176.100 Person to Whom Requests are Submitted
1176.110 Form and Content of Requests

SUBPART C: PROCEDURES FOR DORS'
RESPONSE TO REQUESTS FOR PUBLIC RECORDS

Section
1176.200 Timeline for DORS' Response
1176.210 Types of DORS' Responses

SUBPART D: PROCEDURES FOR APPEAL OF A DENIAL

Section
1176.300 Appeal of a Denial
1176.310 Director's Response to Appeal

SUBPART E: PROCEDURES FOR PROVIDING
PUBLIC RECORDS TO REQUESTORS

Section
1176.400 Inspection of Records at Department Offices
1176.410 Copies of Public Records
1176.420 General Materials Available from the Freedom of Information Officer

Exhibit A Request for Public Records (Repealed)
Exhibit B Reply to Request for Public Records (Repealed)

AUTHORITY: Implementing The Freedom of Information Act (111 Rev. Stat. 1987, ch. 116, pars. 201 et seq.) and Section 4 of the Illinois Administrative Procedure Act (111 Rev. Stat. 1987, ch. 116, pars. 201 et seq.)

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ch. 127, par. 1004.01) and authorized by Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, par. 3434).

SOURCE: Adopted at 8 Ill. Reg. 15957, effective August 20, 1984; amended at 9 Ill. Reg. 2314, effective February 15, 1985; amended at 9 Ill. Reg. 12859, effective August 6, 1985; amended at 11 Ill. Reg. 19416, effective November 13, 1987; amended at 12 Ill. Reg. 14689, effective September 2, 1988; amended at 13 Ill. Reg. 15763, effective September 22, 1989; amended at 14 Ill. Reg. _____, effective _____.

SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

Section 1176.110 Form and Content of Requests

- a) Requests in accordance with FOIA and these rules shall be made in writing unless the individual is unable, because of disability, to prepare a written request.
- b) Oral requests will be handled expeditiously. However, the required response times and the appeal procedures contained in the FOIA and these rules do not apply to oral requests.
- c) The requestor shall provide the following information in a request for public records:
 - 1) The requestor's full name, address and phone number.
 - 2) A brief description of the public records sought, being as specific as possible.
 - 3) Whether the request is for inspection of public records, copies of public records, or both.
 - 4) Whether the requestor wants copies of public records certified.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

SUBPART D: PROCEDURES FOR APPEAL OF A DENIAL

Section 1176.310 Director's Response to Appeal

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The Director shall respond to an appeal within 7 working days after receiving notice thereof. The Director shall either affirm the denial or provide access to the requested public records uphold the appeal. The Director's response shall state the requestor's right to a judicial review of the decision pursuant to Section 11 of the FOIA (Ill. Rev. Stat. 1987, ch. 116, par. 211). Failure to respond within 7 working days may be considered by the requestor an affirmation of the denial.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTORS

Section 1176.400 Inspection of Records at Department Offices

- a) Generally, public records will be made available for inspection during normal working hours of the DORS office where they are maintained.
- b) Documents which the requestor wishes to have copied shall be segregated during the course of the inspection. Generally, all copying shall be done by DORS employees.
- c) ~~Unless otherwise arranged, the inspection of records shall take place at the office where they are maintained, for purposes of convenience, either DORS or the requestor may request that inspection take place in another DORS office location.~~
- d) ~~An employee of the DORS shall be present throughout the inspection. A requestor may be prohibited from bringing bags, brief cases or other containers into the inspection room.~~
- e) Files shall be reviewed and exempt or confidential information deleted by a DORS employee before a requestor is permitted access to them. The FOI Officer shall be consulted in cases where DORS staff have questions concerning confidentiality.
- f) A requestor shall arrange a time and date to review records that is convenient for the DORS employees who maintain the requested records.

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f) A requestor may not remove records from the DORS offices, except those copies produced and paid for (if applicable per 1176.410) during the requestor's inspection of the file.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 1176.410 Copies of Public Record

- a) Copies of public records shall be provided to the requestor only upon payment of any charges which are due. Payment must be by check or money order and made out to the Department of Rehabilitation Services. If payment is not received within 60 days after DORS has notified the requestor of the charges, DORS shall consider the request withdrawn.
- b) Charges for copies of public records shall be 10 cents per page for requests of 10 or more pages. No cost will be charged for records containing less than 10 pages.
- c) Charges may be waived or reduced if the requestor is an employee of a state agency, a constitutional officer, a member of the General Assembly, or for all others whose requests for information are in the public interest (i.e., if the principal purpose of the request is to access and disseminate information regarding the health, safety, and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit). The person requesting the documents must also request that the fee be waived or reduced, and state the specific purpose for the records, and that a waiver or reduction is in the public interest and the reasons why.

d) The FOI Officer shall provide the appropriate FOI Certification, when requested.

(Source: Amended at 14 Ill Reg. _____, effective _____)

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- 1) Heading of the Part: Advisory Councils
- 2) Code Citation: 89 Ill. Adm. Code 515
- 3) Section Numbers: Proposed Action:
515.400 new section
515.500 new section
- 4) Statutory Authority: Implementing Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, par. 3434) and Sections 6.23 and 8 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 6.23 and 8); and Public Act 86-893.
- 5) A Complete Description of the Subjects and Issues involved: Sections 515.400 and 515.500 promulgate the rules for the Independent Living Advisory Council and the Blind Services Planning Council, respectively.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date?
— Yes X No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this part? No
- 10) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
Not Applicable
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Janice Lobb
Regulations and Training Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

DEPARTMENT OF REHABILITATION SERVICES

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Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 515
ADVISORY COUNCILS

SUBPART A: REHABILITATION SERVICE ADVISORY COUNCIL

Section
515.100

Rehabilitation Services Advisory Council

SUBPART B: CONSUMER ADVISORY COUNCILS

Section
515.200

Consumer Advisory Councils

SUBPART C: FACILITY ADVISORY COUNCILS

Section
515.300

Facility Advisory Councils

SUBPART D: INDEPENDENT LIVING ADVISORY COUNCIL

Section
515.400

Independent Living Advisory Council

SUBPART E: BLIND SERVICES PLANNING COUNCIL

Section
515.500

Blind Services Planning Council

AUTHORITY: Implementing Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, par. 3434) and Sections 6.23 & 8 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 6.23 and 8); and Public Act 86-893.

SOURCE: Adopted and codified at 7 Ill. Reg. 8127, effective June 24, 1985; amended at 8 Ill. Reg. 1975, effective February 1, 1984; amended at 12 Ill. Reg. 17942, effective October 24, 1988; amended at ___ Ill. Reg. ___, effective ____.

NOTE: Statutory language is denoted by capital letters.

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SUBPART D: INDEPENDENT LIVING ADVISORY COUNCIL

Section 515.400 Independent Living Advisory Council

a) THE DIRECTOR SHALL APPOINT AN INDEPENDENT LIVING ADVISORY COUNCIL CONSISTING OF 18 MEMBERS TO PROVIDE GUIDANCE FOR THE DEVELOPMENT AND EXPANSION OF INDEPENDENT LIVING PROGRAMS AND CONCEPTS ON A STATEWIDE BASIS.

b) The Council shall prepare and submit to the Department of Rehabilitation Services (DORS) a 5-year plan addressing the long term goals and recommendations for the need for independent living services and programs within the State.

c) MEMBERSHIP

1) THE COUNCIL SHALL BE COMPOSED OF REPRESENTATIVES OF STATE AGENCIES, LOCAL AGENCIES AND NON-GOVERNMENTAL AGENCIES AND GROUPS CONCERNED WITH SERVICES TO DISABLED PERSONS; DISABLED PERSONS AND PARENTS OR GUARDIANS OF DISABLED PERSONS; DIRECTORS OF CENTERS FOR INDEPENDENT LIVING; REPRESENTATIVES OF PRIVATE BUSINESS; AND REPRESENTATIVES OF OTHER APPROPRIATE ORGANIZATIONS.

2) A MAJORITY OF THE MEMBERSHIP OF THE COUNCIL SHALL BE DISABLED PERSONS.

3) THE CHAIRPERSON OF THE COUNCIL SHALL BE SELECTED FROM and by THE MEMBERSHIP AND SHALL ALSO SERVE AS A MEMBER OF DORS ADVISORY COUNCIL.

d) TRAVEL EXPENSES INCURRED BY MEMBERS OF THE COUNCIL IN THE PERFORMANCE OF THEIR DUTIES SHALL BE REIMBURSED in accordance with state travel regulations (80 Ill. Adm. Code 2800), FROM MONIES MADE AVAILABLE TO DORS UNDER PART A OF TITLE VII OF THE FEDERAL REHABILITATION ACT OF 1973 (29 U.S.C. 796).

e) A schedule of all meetings shall be developed so that public notice of the dates, times and locations of the regularly scheduled meetings will be posted at the beginning of the calendar year at DORS' administrative offices at 623 E. Adams, Springfield and 100 W.

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Randolph, Chicago. Copies of the public notice will also be provided to news media upon written or oral request.

f) Public notice of the date, time, location and agenda of each special meeting will be posted at DORS' administrative offices at 623 E. Adams, Springfield and 100 W. Randolph, Chicago at least 24 hours in advance of the meeting and in accordance with Sections 2.02 and 2.03 of the Open Meetings Act (Ill. Rev. Stat. 1987, ch. 102, pars. 42.02 and 42.03).

g) Meetings shall be open to the public; except that meetings or portions of meetings may, upon a majority vote of a quorum present, be declared closed, in accordance with Sections 2 and 2a of the Open Meetings Act (Ill. Rev. Stat. 1987, ch. 102, pars. 42 and 42a).

h) All meetings of the council shall be physically and communicatively accessible to all persons with disabilities.

i) The proceedings of meetings may be recorded in accordance with Section 2.05 of the Open Meetings Act (Ill. Rev. Stat. 1987, ch. 102, par. 42.05), which allows any person to record a meeting required to be open unless a witness testifying before the Council refuses to testify on the basis his or her testimony will be broadcast, televised or motion pictures will be taken during testimony. If such occurs, recording shall be prohibited.

(Source: Added at _____ Ill. Reg. effective _____)

SUBPART E: BLIND SERVICES PLANNING COUNCIL
Section 515.500 Blind Services Planning Council

a) The Blind Services Planning Council (BSPC) SHALL REVIEW THE ACTIONS OF THE BUREAU OF BLIND SERVICES AND PROVIDE ADVICE AND CONSULTATION TO THE DORS DIRECTOR ON SERVICES TO persons who are blind.

b) The BSPC shall be composed of 11 members appointed by the Governor.

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- 1) NO FEWER THAN 6 MEMBERS SHALL BE BLIND.
- 2) A RELATIVE BALANCE BETWEEN THE NUMBER OF MALES AND FEMALES SHALL BE MAINTAINED.
- 3) Two members shall be from each of the major statewide consumer organizations of the blind.
- 4) One member shall be FROM A SPECIFIC SERVICE AREA (e.g., Chicago Lighthouse employee, Vending Facility operator, employers of blind individuals).
- 5) A DORS employee cannot be a member.
- c) Members shall be reimbursed for actual expenses (e.g., travel for meetings in accordance with state travel regulations (80 Ill. Adm. Code 2800), postage or telephone bills for BSPC business) incurred in the performance of their duties.
- d) MEMBERS SHALL BE REMOVED FOR CAUSE INCLUDING DEMONSTRATED INCOMPETENCE, UNETHICAL BEHAVIOR AND UNWILLINGNESS OR INABILITY TO SERVE.
- e) Terms of Membership

- 1) Members serving on the BSPC on the effective date of this Subpart shall continue to serve until their terms expire. New members appointed shall serve terms as set out in subsection (e)(2) of this Section.
- 2) Initially four members shall serve for one year; four members shall serve for two years; and three members shall serve for three years. All subsequent terms shall be for three years.
- 3) No member shall serve more than 2 consecutive terms.
- f) DORS shall provide support services (meeting space, clerical service, record storage, supplies, postage) as requested by BSPC, and access to reports, records and information unless prohibited by 89 Ill. Adm. Code 505.

- 9) DORS shall ensure the BSPC has the opportunity to review the Bureau of Blind Services' budget prior to its submission to the Bureau of the Budget and any major policy or program change prior to its implementation.

h) Meetings

- 1) The BSPC shall meet at least four times per year at times and places designated by the Chair. The dates and locations of the meetings will be published and posted at the DORS' administrative offices at 623 East Adams, Springfield and 100 West Randolph, Chicago in advance of the meeting in accordance with Sections 2.02 and 2.03 of the Open Meetings Act (Ill. Rev. Stat. 1987, ch. 102, pars. 42.02 and 42.03).
- 2) The last regular meeting of the year shall be the annual meeting, conducted in the same way as any regular meeting except that officers will be elected and any other items of business that the bylaws prescribe for the annual meeting will be transacted. New officers assume their duties at the conclusion of the meeting at which they are elected.
- 3) Special meetings shall be called by the Chair or at the written request of any five members of the BSPC, provided a written notice stating the purpose of such meeting is given to members at least ten days prior to the meeting.
- 4) Notice, agenda and minutes for all meetings shall be sent to each member of the BSPC at least 15 days prior to the date of the meeting.
- 5) Meetings shall be open to the public, except that meetings or portions of meetings may, upon a majority vote of a quorum present, be declared closed in accordance with Sections 2 and 2a of the Open Meetings Act (Ill. Rev. Stat. 1987, ch. 102 pars. 42 and 42a).
- 6) Any meeting of the BSPC may be cancelled with approval of a majority of the voting BSPC members.

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- 9) encouraging creative and innovative programs to strengthen, expand and improve services for blind and visually impaired persons; and
- 10) participating in the development of a state plan for blind services and any revision or update.

(Source: Added at 14 Ill. Reg. _____, effective _____)

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- 7) All meetings shall be physically and communicatively accessible to all persons with disabilities.

i) Documents of the BSPC shall be maintained at DORS' administrative offices at 623 East Adams in Springfield for public inspection. DORS shall provide copies of the documents upon request in accordance with the Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, par. 201 et seq.) and Access to Public Records (2 Ill. Adm. Code 1176).

j) Functions of the BSPC shall include, but not be limited to:

- 1) facilitating communication and cooperative efforts with blind consumer groups and blind citizens of Illinois;
- 2) facilitating communication and cooperative efforts between DORS and all agencies or other service providers which deliver services to blind and visually impaired persons;
- 3) identifying needs of and problems related to blind and visually impaired persons and making recommendations to the Director and Bureau of Blind Services Deputy Director of DORS, and to the Governor;
- 4) recommending programmatic and fiscal priorities for the provision of services and awarding of grants or contracts by DORS;
- 5) conducting, encouraging, and advising independent research by qualified evaluators to improve services to blind and visually impaired persons;
- 6) participating in the development and review of proposed DORS rules and regulations relating to services for blind and visually impaired persons;
- 7) reviewing and commenting on budgets relating to services for blind and visually impaired persons;
- 8) promoting policies and programs to educate the public and eliciting public support for services to blind and visually impaired persons;

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- 1) Heading of the Part: Client Financial Participation
- 2) Code Citation: 89 Ill. Adm. Code 562
- 3) Section Numbers:
562.30
amendment
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(a), (b), and (k)).

5) A Complete Description of the Subjects and Issues involved:
Section 562.30(a)(1) is being amended to clarify evaluation of vocational rehabilitation potential as an exception to the economic needs test. Section 562.30(e) increases the Standard Budget Allowance in accordance with the U.S. Department of Agriculture's Income Eligibility Guidelines for Child Nutrition Program.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

Ms. Janice Lobb
Regulations and Training Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not effect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

1) evaluation of rehabilitation potential, (although VR services other than diagnostic services provided during extended evaluation require application of the financial analysis).

PART 562

CLIENT FINANCIAL PARTICIPATION

Section

- 562.10 General Applicability
562.20 Exclusions from Economic Needs Test
562.30 Financial Participation
562.40 Parental or Guardian Participation in Completing the Financial Analysis Form
562.50 Client Emancipation (Repealed)
562.60 Consideration of Settlements from Litigation or Other Sources
562.70 Refusal to Financially Participate
562.80 Timing of Financial Analysis
562.90 Annual Review of Financial Analysis
562.100 Exclusion for Public Aid Recipients (Repealed)
Table A Determination Table for Client Participation
- AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(a),(b), and (k)).
- SOURCE: Adopted at 9 Ill. Reg. 8763, effective June 10, 1985; amended at 11 Ill. Reg. 4021, effective February 18, 1987; amended at 11 Ill. Reg. 15223, effective August 31, 1987; amended at 11 Ill. Reg. 19127, effective November 9, 1987; amended at 12 Ill. Reg. 20827, effective November 30, 1988; amended at 13 Ill. Reg. 2866, effective February 17, 1989; amended at 14 Ill. Reg. 1466, effective January 8, 1990; amended at 14 Ill. Reg. _____, effective _____.

Section 562.30 Financial Participation

- a) If the economic needs test has not been presumptively met, a financial analysis to evaluate the financial ability of the client, or client's family, to share in the purchase of vocational rehabilitation services shall be applied to all Department of Rehabilitation Services (DORS) services (as contained in 89 Ill. Adm. Code: Chapter IV, Subchapter b, "Vocational Rehabilitation" (VR)) except the following:

- b) When the financial analysis indicates that the client or spouse, or parents or guardians of minor children are able to financially participate in the client's program, their participation is required.
- c) The financial analysis is based upon net available income, which is the client's and/or family unit's total income, minus total outgo.
- 1) Total income equals earned and unearned income plus any increases or decreases expected by the client for the twelve (12) months following completion of the Financial Analysis form (IL488-0265).
- 2) Total outgo equals the Standard Budget Allowance plus unusual allowable expenses which the client expects to pay within the twelve (12) months following the completion of the Financial Analysis form.

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- 3) Net available income determines the dollar amount of client participation. (See Table A.)
- 4) The client is not required to sell property, take out a mortgage or liquidate insurance policies, stocks/bonds, or C.D.'s; however, earnings from such investments are considered as available unearned income for completion of the financial analysis.

d) For the purposes of completing the Financial Analysis form, determining if economic need exists, and determining the amount of client participation, the following definitions/terms are applicable:

- 1) The "Family Unit" refers to the client or spouse or parents or legal guardians of minor children, or other family members residing in the household who are designated as dependents on the client's, spouse's, or guardian's latest federal income tax return.
- 2) "Income" utilizes the definition of gross adjusted income as used by the U.S. Internal Revenue Service (26 CFR 1.62-1(a), (1986)) and as documented by the client's (or client's family's) most recent federal income tax return. The rule incorporated by reference does not include any later amendments or revisions.
- 3) The "Standard Budget Allowance" (SBA) is the figure established by DORS to be a reasonable amount to cover all necessary expenses for a family unit of a specific size to maintain a modest standard of living.

4) "Unusual Allowable Expenses" are:

- A) medical expenses (e.g., medical equipment, prescriptions) related to the disability of the client or the disability of other members of the family unit based on information provided by the client, and which have not been deducted from the client's most recent federal income tax return or paid by any other source,
- B) post-secondary education expenses of other members of the family unit,

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- C) expenses related to the purchase of a van, as set forth in 89 Ill. Adm. Code 597.200(b), or
- D) modifications (not to exceed \$2,000 per year) to a home if necessary (as determined when the counselor and client develop the Individualized Written Rehabilitation Program (IWRP) at 89 Ill. Adm. Code 572) due to client's disability.

e) Standard Budget Allowance

1) The Standard Budget Allowance is as follows:

NUMBER OF DEDUCTIONS CLAIMED ON TAX RETURN	\$ AMOUNT OF ALLOWANCE
1	\$11,618
2	\$14,837
3	15,577
4	19,536
5	22,395
6	26,159
7	29,933
8	31,413
	35,372
	39,331

Add \$3,743,959 for each additional family member beyond eight members.

- 2) The SBA amount for a family of one is not applicable to a training case (89 Ill. Adm. Code 592); instead, determine the client's planned subsistence costs during a training program and use these as the budget basis.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Closure
- 2) Code Citation: 89 Ill. Adm. Code 617
- 3) Section Numbers: Proposed Action:

617.20	amendment
617.50	amendment
617.55	amendment
617.60	amendment
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(a), (b), and (k)).

- 5) A Complete Description of the Subjects and Issues involved:

Section 617.20(a) and (b) are being amended to add the requirement for a certificate of ineligibility to be signed and dated by the counselor. Section 617.50 is being amended to include "or supervising" housework, in order to be considered a rehabilitation closure as a homemaker.

The Table of Contents is being amended to include Section 617.55 which was inadvertently omitted in previous rulemakings.

In Section 617.55, subsections (a)(1), (2) and (3) were deleted as this same information will appear in a proposed amendment to 89 Ill. Adm. Code 552: Eligibility. Also, "extended services" has replaced the term "on-going support services". A definition of extended services has been included, as well as a description of an extended service plan.

Section 617.60 is being amended to state that a client must be working in a facility approved in accordance with 89 Ill. Adm. Code 530.50 to be considered a closure in sheltered employment.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date?

Yes	X	No
-----	---	----
- 8) Does this proposed amendment contain incorporations by reference? No

DEPARTMENT OF REHABILITATION SERVICES

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- 9) Are there any other amendments pending on this Part? No
- Section Numbers Proposed Action Illinois Register Citation
- 10) Statement of Statewide Policy Objectives (if applicable): Not Applicable
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules by writing within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Leigh Reed
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 617
 CLOSURE

Section

- 617.10 General Applicability
- 617.20 Determination of Closure
- 617.30 Criteria for Being Determined "Rehabilitated"
- 617.40 Closure as an Unpaid Family Worker
- 617.50 Closure as a Homemaker
- 617.55 Closure in Supported Employment
- 617.60 Closure in Sheltered Employment Program
- 617.70 Closure in a Work Activity Program
- 617.80 Vocational Outcome at Closure
- 617.90 Certification of Ineligibility
- 617.100 Client Participation in Closure Decision
- 617.110 Annual Review of Ineligibility Decision

AUTHORITY: Implementing and authorized by Sections 3(a), (b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(a), (b), and (k))

SOURCE: Adopted at 9 Ill. Reg. 8776, effective June 10, 1985; amended at 11 Ill. Reg. 4032, effective February 18, 1987; amended at 12 Ill. Reg. 6959, effective April 1, 1988; amended at 12 Ill. Reg. 11498, effective June 22, 1988; amended at 12 Ill. Reg. 17090, effective October 11, 1988; amended at 12 Ill. Reg. 17957, effective October 24, 1988; amended at ____ Ill. Reg. _____, effective _____.

Section 617.20 Determination of Closure

Closure of an individual's case record shall be done any time in the Vocational Rehabilitation (VR) process when the counselor has determined that any of the following exists:

- a) the person has no disability, or no vocational handicap (89 Ill. Adm. Code 552) (annual review not required; requires opportunity for client participation in closure decision, written notification to client of closure and appeal rights (89 Ill. Adm. Code 510), and the counselor must sign and date a certificate of ineligibility).

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- b) there is no reasonable expectation that VR services may benefit the individual in terms of employability (89 Ill. Adm. Code 552.30(a)(2)) (requires: annual review, opportunity for client participation in closure decision, written notification to client of closure and appeal rights, and an Individualized Written Rehabilitation Program (IWRP) amendment, if appropriate, and the counselor must sign and date a certificate of ineligibility).
- c) the person has refused services or further services, or has failed to cooperate (annual review not required; requires: opportunity for client participation in closure decision and written notification to client of closure and appeal rights).
- d) the person cannot be located, has moved out of state, has died, or is otherwise unavailable for services for an extended period of time, e.g. institutionalized or incarcerated, (annual review not required; requires IWRP amendment, if appropriate).
- e) the person's medical condition is rapidly progressive or terminal, i.e., unfavorable medical prognosis (annual review not required; requires: written notification to client of closure and appeal rights, and an IWRP amendment, if appropriate).
- f) the program of services has been completed and additional services are not required (annual review not required; requires: opportunity for client participation in closure decision, written notification to client of closure and appeal rights, and an IWRP amendment).
- g) employment obtained without benefit of VR services (annual review not required; requires: written notification to client of closure and appeal rights, and an IWRP amendment, if appropriate).
- h) the person's service needs are outside the scope of VR service as contained in 89 Ill. Adm. Code: Chapter IV, subchapter b and are more appropriately provided by another agency (annual review not required; requires: opportunity for client participation in closure decision, written notification to client of closure and appeal rights and an IWRP amendment, if appropriate).

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- 1) the person did not meet order of selection criteria (89 Ill. Adm. Code 552.100) and did not express an interest in being placed on a waiting list for a later offer of rehabilitation services. The person must have been eligible, or presumably eligible, for services if the order of selection criteria had not been applied (annual review not required; requires: opportunity for client participation in closure decision, written notification to client of closure and appeal rights).
- j) the provision of suitable transportation (89 Ill. Adm. Code 607.20) for the acceptance or maintenance of employment was either not feasible (e.g. too costly for the client to afford) or not available (annual review not required; requires: opportunity for client participation in closure decision, written notification to client of closure and appeal rights and an IWRP amendment, if appropriate).

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 617.50 Closure as a Homemaker

To be considered a rehabilitation closure as a homemaker, in addition to the criteria contained in Section 617.30, the VR services that were provided must have related directly to the client's performing or supervising housework required in the home.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 617.55 Closure in Supported Employment

- a) To be considered a rehabilitation closure in supported employment, in addition to the criteria contained in Section 617.30, the following requirements must be met:

a) The client must be:

- 1) an individual for whom competitive employment in an integrated work setting has not occurred, or
- 2) an individual for whom competitive employment has been interrupted or intermittent as a result of a severe disability, and

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- 3) an individual who, because of his/her disability, needs ongoing support services as determined by the counselor's professional judgment as evidenced in the IWRP (89 Ill. Adm. Code 572.60) to perform such work.
- b) the supported employment must be competitive work, i.e., averaging at least 20 hours per week for each pay period, by the time of closure in an integrated work setting (34 CFR 363.7(a)(2)(ii)) with on-going support extended services.
- e) Definitions
For the purposes of this Section, the definitions of "integrated work setting" and "on-going support services" are those promulgated in 34 CFR 363.7(a) (2) (ii) and (iii) August 14, 1987, respectively. No later editions or amendments are included.

The definition of "severe disability" refers to an individual who has a physical or mental disability which seriously limits one or more functional capacities (i.e., mobility, communication, self-care, self-direction, work tolerance or work skills) in terms of employability, and whose vocational rehabilitation services can be expected to require multiple vocational rehabilitation services over an extended period of time (6 months or more).

- b) DORS and the service provider shall develop an extended service plan which contains a description of extended services to be provided, the identity of the state, federal or private non-profit programs that will provide the services, the client's comments on the extended service plan, and a review date for the plan. "Extended services" are those services necessary to support and maintain an individual following the termination of time-limited support services as specified on the client's IWRP (89 Ill. Adm. Code 572). (Time-limited support services shall be provided for no longer than 18 months from initial date of placement.) Extended services must include job-related skills training provided at least twice monthly on the work site. If the individual has a diagnosis of mental illness, the contacts may be for any job-related reason off the worksite.

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(Source: Amended at 14 Ill. Reg. _____,
effective _____)

Section 617.60 Closure in Sheltered Employment

To be considered a rehabilitation closure in sheltered employment (a not-for-profit work site paying minimum or below minimum wages for work of a non-competitive nature), in addition to the criteria contained in Section 617.30, the client must be working in a facility approved in accordance with 89 Ill. Adm. Code 530.50 at minimum wage or at below minimum wage as authorized by a certificate from the U.S. Department of Labor, and be offered at least 20 hours of paid employment per week, documented in the case file.

(Source: Amended at 14 Ill. Reg. _____,
effective _____)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Eligibility

2) Code Citation: 89 Ill. Adm. Code 552

<u>Section Numbers:</u>	<u>Proposed Action:</u>
552.30	amendment
552.60	amendment
552.90	amendment

4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(a),(b), and (k)).

5) A Complete Description of the Subjects and Issues involved:
Section 552.30 is being amended to add eligibility criteria for the Supported Employment Program.

Section 552.60 is being amended per an agreement with JCAR, to clarify when a counselor will seek consultation regarding a medical or psychological report.

Section 552.90 is being amended to promulgate that for Supported Employment Program clients, the Thorough Diagnostic Study must be to the extent possible, a community based evaluation of the client's work abilities on competitive job sites rather than in sheltered workshops.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

NOTICE OF PROPOSED AMENDMENTS

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Janice Lobb
Regulations and Training Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 552
ELIGIBILITY

Section	
552.10	General Applicability
552.20	Eligibility Determination
552.30	Criteria for Eligibility
552.35	Criteria for Interim Eligibility
552.40	Comprehensive Diagnostic Study
552.50	Preliminary Diagnostic Study
552.60	Requirement for Current General Medical Information
552.70	Requirements for Mental Health Evaluation
552.80	Comprehensive Diagnostic Study Decision
552.90	Thorough Diagnostic Study
552.100	Order of Selection
552.110	Criteria for "Severely Handicapped" Individual
552.120	Certification of Eligibility

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(a),(b), and (k)).

SOURCE: Adopted at 9 Ill. Reg. 8792, effective June 10, 1985; amended at 11 Ill. Reg. 2846, effective January 27, 1987; amended at 12 Ill. Reg. 3715, effective January 15, 1988; amended at 13 Ill. Reg. 9711 effective May 23, 1988; amended at 13 Ill. Reg. 9576, effective June 12, 1989; amended at 14 Ill. Reg. 18921, effective November 16, 1989; amended at 14 Ill. Reg. _____, effective _____.

Section 552.30 Criteria for Eligibility

a) Eligibility for services in the vocational rehabilitation program is based only upon:

- 1) the presence of a physical or mental disability which, for the individual, constitutes or results in a substantial handicap to employment by preventing him or her from obtaining, retaining, or preparing for employment consistent with the individual's capacities and abilities, and

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- 2) a reasonable expectation that vocational rehabilitation services may benefit the individual in terms of employability. (34 CFR 361.31, 1981)
A reasonable expectation is a judgement made by the counselor after review of the medical, psychological, vocational and educational data supplied.

- b) Eligibility is determined without regard to sex, race, age, creed, color, national origin, or type of disability.

- c) There are no residency requirements for DORS services, but clients being served by agencies of another state cannot receive duplicate services from DORS. Clients having moved from Illinois will continue to be eligible for services until the completion of services already authorized or until accepted by the other state for services.

- d) In addition to the eligibility criteria listed above, to be eligible for services through the Supported Employment Program, the client must be:

- 1) an individual for whom competitive employment in an integrated setting (89 Ill. Adm. Code 617.55(a)) has not occurred, or has been intermittent or interrupted as a result of severe disability;
- 2) an individual, who because of his/her disability, will need extended services (89 Ill. Adm. Code 617.55(b)), as determined by the counselor's professional judgement as evidenced in the Individualized Written Rehabilitation Program (89 Ill. Adm. Code 572.60), to perform such work; and

- 3) able to work at least an average of 20 hours per week for each pay period.

(Source: Amended at ___ Ill. Reg. ___ , effective ___)

Section 552.60 Requirement for Current General Medical Information

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The preliminary diagnostic study must include a current review of general health status. The counselor shall seek consultation regarding any aspect of a medical and/or psychological report needing clarification.

(Source: Amended at ___ Ill. Reg. ___ effective ___)

Section 552.90 Thorough Diagnostic Study

After an individual has been determined eligible for vocational rehabilitation services, there will be a Thorough Diagnostic Study to determine the nature and scope of services needed by the individual. The counselor will determine the extent of the Thorough Diagnostic Study based on the client's physical or mental disabilities and the results of the preliminary diagnostic study.

- a) This Study is a comprehensive evaluation, in all cases to the degree needed, of the individual's employability, personality, intelligence level, educational achievement, work experience, personal, vocational, and social adjustment, employment opportunities, recreational opportunities, and other pertinent data helpful in determining the nature and scope of services needed.

- b) The Study shall also include, as appropriate for each individual, an appraisal of the individual's pattern of work behavior, ability to acquire occupational skills, capacity for successful job performance, and the need for rehabilitation engineering services (i.e., the application of technologies, engineering methodologies or scientific principles to meet the needs of and address the barriers confronted by persons with disabilities).

- c) For Supported Employment Program clients, the Thorough Diagnostic Study must be, to the extent possible, a community based evaluation of the client's work abilities on competitive job sites rather than in facilities such as sheltered workshops.

(Source: Amended at ___ Ill. Reg. ___ , effective ___)

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If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not effect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Prescreening and Eligibility Determination Processes

2) Code Citation: 89 Ill. Adm. Code 690

3) Section Numbers: Proposed Action: amendment
690.100

- 4) Statutory Authority: Section 3(g) of "AN ACT in relation to rehabilitation of persons with one or more disabilities (Ill. Rev. Stat. 1988, ch. 23, par. 3434(g)).

- 5) A Complete Description of the Subjects and Issues involved: Section 690.100(d) is being amended to reflect changes in the points required on the Determination of Need, which is used to determine the individual's need for long-term care.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable): Not Applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Janice Lobb
Regulations and Training Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 690
PRESCREENING AND ELIGIBILITY DETERMINATION PROCESSES

Section
690.100 Nursing Home Prescreening
690.200 Program Eligibility Determination
690.300 Verification of Eligibility Factors
690.400 Eligibility Period

AUTHORITY: Section 3(g) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988, ch. 23, par. 3434(g)).

SOURCE: Adopted and codified at 7 Ill. Reg. 8923, effective July 18, 1983; amended at 14 Ill. Reg. _____, effective _____.

Section 690.100 Nursing Home Prescreening

Per Department of Public Aid rules (89 Ill. Adm. Code 140.642), effective July, 1983, all individuals age 21 and older who may be placed in Medicaid funded intermediate (ICF) or skilled nursing (SNF) long-term care facilities must be prescreened prior to Illinois Department of Public Aid (DPA) authorization of payment for care. Prescreening is the process whereby an individual is assessed to determine if the individual is in need of ICF or SNF level long-term care, and if so, if that care could be cost-effectively provided in the individual's home through the provision of the proper level of in-home services, or if the individual's only long-term care alternative is placement in an ICF or SNF long-term care facility. Individuals who are potentially eligible for both in-home care (Home Services Program - HSP) and nursing home care (NHC) may then choose between these alternatives.

- a) DORS is specifically responsible for the prescreening of disabled individuals age 21 through 59 who are recommended by their physician for placement in an ICF or SNF Medicaid-funded nursing home, or who seek such placement or are at risk of such placement in the near future. Individuals who are not required to undergo prescreening include: those who will pay for nursing home care with financial resources other than Medicaid funds for more than 60 days; those who are transferring

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from one nursing home to another; those who are returning to a nursing home after an absence of less than 60 days; and those who are returning to a nursing home after an absence of more than 60 days where the absence was necessary to receive medical services. Individuals not required to undergo prescreening may be referred to HSP through established HSP application and eligibility determination procedures.

- b) Individuals to be prescreened may be hospitalized at the time or may be living in the community. Therefore, prescreening may require a cooperative effort between HSP staff and hospital, nursing home, and/or community health care professionals including physicians, as appropriate. However, the certification that prescreening has been accomplished for the DORS prescreening population must be completed by DORS staff or their designees.

- c) Prescreening does not necessarily require application to, nor eligibility determination for, HSP. The only requirement for prescreening is that the Determination of Need for Long-Term Care (DON) form (see 89 Ill. Adm. Code 685.500) be completed. An application for HSP, and an eligibility determination for HSP in whole or part, need to be completed only insofar as an individual is interested in pursuing HSP eligibility as an alternative to NHC. Therefore, depending on the individual's choice, and on the individual's suitability for HSP, the prescreening process may be variable.

- d) The DON assessment is utilized to determine the individual's need for long-term care, and is also part of the HSP eligibility determination. Individuals who on the DON, score at least 28 29 points total, with at least 18 15 of those points on Part A, are considered to be in need of long-term care at an ICF or SNF level. If they choose, these individuals may then be assessed as to potential for HSP eligibility which includes the feasibility of developing an adequate, individualized HSP service plan for less than or equal to the individualized projected cost of institutionalization. The client's physician must certify either that the client may be served safely at home, if eligible for Home Services, or that the client requires nursing home care and cannot be served in the home. Individuals whose scoring on the DON does not indicate a need for

DEPARTMENT OF REVENUE
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Alcoholic Liquor Act
- 2) Code Citation: 86 Ill. Adm. Code 420
- 3) Section Numbers: 420.10
420.140
Proposed Action:
Amendment
Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 43, par. 158
- 5) A Complete Description of the Subjects and Issues Involved: Rule amendment to reflect the decision of the Illinois Supreme Court in Federated Distributors, Inc. v. Johnson, 125 Ill.2d 1.
- 6) Will this proposed rule replace an emergency rule currently in effect:
No
- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part: No
- 10) Statement of Statewide Policy Objectives: This rulemaking will have no effect on local units of government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Mr. R. Dale Yung
Administrator
Illinois Department of Revenue
Legal Services Bureau
101 West Jefferson
Springfield, Illinois 62708
Phone: (217) 782-6336

12) Initial Regulatory Flexibility Analysis:

- A Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: June 1, 1990
- B) Types of small businesses affected: Manufacturers and importing distributors of alcoholic liquor, other than beer.

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- ICF or SNF level long-term care, but whose physicians indicate otherwise, may obtain a second physician's opinion through DPA, and that decision is binding. Decisions resulting from the prescreening process may be appealed through DPA if NHC is denied, or through DORS if HSP service provision is denied.
- e) Prescreening certification required on an urgent basis, as determined the individual or agency who referred the client to HSP for prescreening, will be accomplished in no more than two working days for a hospitalized individual where hospital staff provide assistance in gathering necessary information, and in no more than five working days for an individual residing in the community. Urgent is defined as a need for long-term care placement within three days for a hospitalized individual and within one week for an individual residing in the community, where the need for such care could not reasonably have been anticipated sooner. Less than urgent requests for prescreening certification will be conducted as the needs of the individual require.
- f) The prescreening certification results will be provided to the client, and, as appropriate to the nursing home admitting the client, the medical practitioner arranging long-term care placement, and/or the DPA local office which may be authorizing NHC. Copies may be provided on request to other interested parties with the consent of the client. Prescreening certification is valid for 60 days.

(Source: Amended at 14 Ill. Reg. _____, effective _____).

NOTICE OF PROPOSED AMENDMENTS

C) Reporting, bookkeeping or other procedures required for compliance:
No additional requirements.

D) Types of professional skills necessary for compliance: No additional requirements.

The full text of the Proposed Amendment(s) begins on the next page:

NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE

CHAPTER I: DEPARTMENT OF REVENUE

PART 420

ALCOHOLIC LIQUOR ACT

Section

- 420.10 Gallonage Taxes
420.20 Claims to Recover Erroneously Paid Tax
420.30 Shipments of Alcoholic Liquors Out of Illinois
420.40 Non-Beverage Alcoholic Preparations and Compounds
420.50 Non-Beverage Users of Alcoholic Liquors
420.60 Act Does Not Apply
420.70 Tax Provisions of Act Do Not Apply
420.80 Monthly Return
420.90 Books and Records
420.100 Carriers
420.110 Sales to Governmental Bodies
420.120 Warehousing of Liquors
420.130 Non-Beverage User's Books and Records
420.140 Tax-Free Sales of Alcoholic Liquor for Use Aboard Ships Operating in Foreign Commerce Outside the Continental Limits of the United States

AUTHORITY: Implementing and authorized by Article VIII of "An Act relating to Alcoholic Liquors" (Ill. Rev. Stat. 1989, ch. 43, pars. 158, 159, 159a, 163, 163a, 163b, 163c, 163d, 163e, 164, 164 1/2, 164 3/4, 165 and 165a).

SOURCE: Filed and effective June 17, 1958; codified at 8 Ill. Reg. 17910, amended at Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 420.10 Gallonage Taxes

a) Measure of Tax:

A tax is imposed upon the privilege of engaging in business as a manufacturer or as an importing distributor of alcoholic liquor at the rate of 23¢ per gallon for wine, alcoholic liquor, other than beer, containing 14% or less of alcohol by volume, 60¢ per gallon for wine alcoholic liquor containing more than 14% and less than 20% of alcohol by volume, 7¢ per gallon on beer and \$2.00 per gallon on ~~alcohol~~ ~~and~~ ~~spirits~~ alcoholic liquor having 20% or more of alcohol by volume, manufactured or imported for sale or use by such manufacturer, or as agent for any other person, or purchased tax-free for sale or use by such manufacturer, or as agent for any other person, or imported for sale or use by such importing distributor, or as agent for any other person, or purchased tax-free for sale or use by such importing distributor, or as agent for any other person.

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NOTICE OF PROPOSED AMENDMENTS

b) Persons Liable for Tax:

- 1) Sales of alcoholic liquor by an Illinois licensed foreign importer to an Illinois licensed importing distributor of alcoholic liquor are not taxable even if both licenses are held by the same legal entity.
- 2) Where one licensed manufacturer or importing distributor sells alcoholic liquor to another licensed manufacturer or importing distributor, such sale may be made tax-free to the extent to which the sale of alcoholic liquor by one Illinois licensed manufacturer or importing distributor to another Illinois licensed manufacturer or importing distributor is authorized by the licensing provisions of the Act. When such sale is made tax-free, the purchasing manufacturer or importing distributor is responsible for paying the proper tax unless such purchaser sells the alcoholic liquor that he has bought tax-free to another licensed manufacturer or importing distributor under circumstances authorized by the licensing provisions of the Act and elects not to pay the tax. This procedure may be continued until a licensed manufacturer or importing distributor sells the alcoholic liquor to someone not licensed as a manufacturer or importing distributor, in which event, if the tax liability has not been assumed previously, such manufacturer or importing distributor who makes the sale to a purchaser not licensed as a manufacturer or importing distributor must pay the proper tax when filing his return for the month in which he makes such taxable sale unless there is some other basis for claiming tax exemption, such as the fact that the sale is in interstate commerce (see Section 420.30) or that the sale is made to a nonbeverage user (see Section 420.500 and 420.110(b)).

(Source: Amended at ____ Ill. Reg. _____, effective ____)

Section 420.140 Tax-Free Sales of Alcoholic Liquor for use Aboard Ships Operating in Foreign Commerce Outside the Continental Limits of the United States

- a) Subject to the conditions stated hereinbelow, Illinois licensed manufacturers and importing distributors of alcoholic liquor may make tax-free sales of alcoholic liquor to operators of ships docked in the Port of Chicago where such liquor will be used aboard such ships operating in foreign commerce outside the continental limits of the United States. However, such sales of alcoholic liquor may not be made tax-free for use on ships operating exclusively on the Great Lakes or the St. Lawrence Seaway between the United States and Canadian ports.

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- b) In order for the exemption to apply where the alcoholic liquor will be used aboard ships operating in foreign commerce outside the continental limits of the United States, the sale must be made by an Illinois licensed manufacturer or importing distributor. Only alcoholic liquor that is exempt from the Federal tax can qualify for the exemption provided for in this ~~regulation~~ Section.
- c) In addition, to sustain a claim to such exemption, the manufacturer or importing distributor must attach a written statement to his return for the month in which the exemption is claimed, showing the following information:
 - 1) The name of the manufacturer or importing distributor making the sale;
 - 2) the name of the ship to which the manufacturer or importing distributor delivers the alcoholic liquor and the name of the shipping line operating such ship;
 - 3) the kind of alcoholic liquor (beer, ~~wine~~ alcoholic liquor, other than beer, containing 14% or less of alcohol by volume, ~~wine~~ alcoholic liquor containing more than 14% and less than 20% of alcohol by volume or ~~ale~~ ~~and~~ ~~spices~~ ~~alcoholic~~ liquor having 20% or more of alcohol by volume) delivered to such purchaser, and the quantity of each such kind of alcoholic liquor so delivered;
 - 4) the date and place of such delivery, and
 - 5) a statement that the alcoholic liquor is to be used aboard such ship in foreign commerce outside the continental limits of the United States.
- d) This deduction or claimed exemption must be substantiated by the records which the manufacturer or importing distributor keeps to comply with customs' requirements of the Federal Government, and such records must be made available to the Department on request for examination at any time during the usual business hours of the day.

(Source: Amended at ____ Ill. Reg. _____, effective ____)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Licensing Standards for Youth Emergency Shelters
- 2) Code Citation: 89 Ill. Adm. Code 410

3) Section Numbers: Adopted Action

410.10	New
410.20	"
410.30	"
410.40	"
410.50	"
410.60	"
410.70	"
410.80	"
410.90	"
410.100	"
410.110	"
410.120	"
410.130	"
410.140	"
410.150	"
410.160	"
410.170	"
410.180	"
410.190	"
410.200	"
410.210	"
410.220	"
410.230	"
410.240	"
410.250	"
410.260	"
410.270	"
410.280	"
410.290	"
410.300	"
410.310	"
410.320	"
410.330	"
410.340	"
410.350	"
410.360	"
410.370	"
410.380	"

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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- 4) Statutory Authority: Ill. Rev. Stat. 1987, Ch. 23, pars. 2211 et seq. as amended by Public Acts 86-278 and 86-386 effective January 1, 1990.
- 5) Effective Date of Rules: May 31, 1990
- 6) Does this rulemaking contain an automatic repeal date: Yes ☐ No ☒
If so, please specify date:
- 7) Do these rules contain incorporations by reference? No
If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking?
- 8) Date Filed in Agency's Principal Office: May 31, 1990
- 9) Notice(s) of Proposal Published in Illinois Register:
January 12, 1990, 14 Ill. Reg. 439
(issue date)
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? Yes
If answer is "yes," please complete the following:
A) Statement of Objection: May 25, 1990, 14 Ill. Reg. 8206
(issue date)
B) Agency Response: (issue date), Ill. Reg. _____
C) Date Agency Response Submitted for Approval to JCAR: May 25, 1990
- 11) Difference(s) between proposal and final version:
Table of Contents
Change the title of Section 410.100 to Homeless Youth Staff. Insert a new Section 410.180 entitled "Staff Coverage". Renumber Section 410.180 through 410.240 to 410.190 through 410.250 and delete Section 410.250 Staff Coverage.
Section 410.10 Purpose - (b) - In the last sentence insert "only" after "emergency shelter."
Section 410.20 Definition
In the definition of:
"Emergency shelter" - second line - insert "shelter care services, including" immediately following "provides". In that same phrase insert a comma after

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

"overnight shelter".

3rd line - delete the word "under" and insert "from 14 to"; after "18 years of age" insert "and their children."

4th line - after "21" add "and their children."

"Licensing representative" - insert "to" before "examine."

"Shelter care services" - 1st line - immediately prior to "overnight" insert "or referral for services as required by these rules, and the provision of" 2nd line - insert "laundry facilities," after "sleeping facilities," and delete "the provision of"

"Youth Emergency Shelter" - 2nd line - immediately prior to "overnight shelter" insert "shelter care services, including"

3rd line - after "youth" delete "under" and insert "from 14 to" and add "and their children" immediately after "18 years of age".

Section 410.40 Application for a License

a) Insert "on forms provided by the Department" after "Shelter."

e) Insert "in accordance with Sections 8 and 8.1 of the Act" after "renew a facility's license."

Section 410.50 Application for Renewal of a License

b) Capitalize the first letter of "department" in Section 410.50(b).

c) Insert "which will include but is not limited to on-site visits, a review of records, interviews, and safety clearances" after "study."

Section 410.60 Provisions Pertaining to the License a) - 1st line - replace the word "under" with "from"; after "age" insert "of 14 to" and delete "of" in the second line.

4th line - at the end of the sentence, delete the period and add "or under the age of 14 except that the children of homeless youth may be sheltered with their parents."

f)1) - replace the word "type" with "sex."

Section 410.70 Provisions Pertaining to Permits

a)2) - insert "issued by the state or local authorities" after "clearances"; replace "state laws" with "state rules." After the first sentence insert the following second sentence: "Such State rules include when applicable Fire Prevention and Safety (41 Ill. Adm. Code 100); Petroleum and Other Regulated Substances (41 Ill. Adm. Code 180); Storage, Transportation, Sale and Use of Liquefied Petroleum Gas

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(41 Ill. Adm. Code 200); Boiler and Pressure Vessel Safety Rules and Regulations (41 Ill. Adm. Code 120); Food Service Sanitation Code (77 Ill. Adm. Code 750); Private Sewage Disposal Code (77 Ill. Adm. Code 905); Control of Communicable Diseases Code (77 Ill. Adm. Code 690); Illinois Plumbing Code (77 Ill. Adm. Code 890); Structural Pest Control Code (77 Ill. Adm. Code 830). In the last sentence after "regulations," insert "(Illinois Water Well Construction Code (77 Ill. Adm. Code 920), Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925))."

a)3) Insert "(administrator or homeless youth supervisor)" after "operation."

Section 410.80 Supervision of the Emergency Shelter

a) - after the first sentence insert a new sentence which reads "Administrative staff of a licensed child welfare agency may serve as the administrator of the youth emergency shelter. The administrator shall maintain fiscal and administrative records for the shelter."

b) 2) - delete "two full years of college credits" and replace with "a Bachelor's degree".

3) - 1st line - insert "successful" prior to "full-time".

2nd line add "or in related youth service programs" immediately following "program".

c) 1st line - replace the words "child care" with "homeless youth".

2nd and 3rd lines - replace "child care" with "homeless youth" and deleting "in" insert "if required by" immediately before "Section 410.100".

d) capitalize the first letter of "part"

e) 3rd line - add "as determined by background checks, character references and a personal interview" after "character."

Section 410.90 Finances

a) 2nd line - delete the word "adequate"; add "as required by this Part" after "youth."

c) 3rd line - delete "and audit."

d) delete subsection (d) in its entirety.

Section 410.100 Child Care Staff

Change the title of this section from "Child Care Staff" to "Homeless Youth Staff"

a) - 1st line - replace "child care supervisors" with "a homeless youth supervisor"; delete the semicolon after "shall" and insert "be required for any shelter which is serving more than 10 homeless youth and shall:" 3) - replace "two" with "three"; after "program" delete the semi colon and add "or in related youth service programs," b) - replace "child care staff" with "homeless youth caretakers" wherever it occurs. To the end of the second sentence add "and other duties do not interfere with supervision of the youth."

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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b)4) replace (b)(4),(5) and (6) with the following:

"4) have demonstrated through employment or volunteer work:

- A) skills in the field of child care or the capacity to develop such skills;
- B) ability to work within the program structure and to accept supervision; and
- C) ability to work constructively with parents, other agencies and the community."

c) - add a subsection c) which reads "Administrators may approve a foster parent licensed by the Department of Children and Family Services to serve as a homeless youth caretaker for up to six homeless youth in the licensed foster home provided space requirements are met and no other population of foster children is being served in the home."

Section 410.120 Support Staff

2nd line - replace "qualified" with "support."

3rd line - replace "child care" with "homeless youth". Add a sentence to the end of the section which reads "Youth may be required to do simple household duties under the supervision of staff."

Section 410.130 Volunteers

At the end of the sentence replace "supervisor" with "member".

Section 410.140 Background Inquiry

b) delete the hyphen from "rule-making"

Section 410.150 Health Requirements for Staff and Volunteers

a) - 1st line - replace "child care" with "homeless youth caretakers";
4th line - after "conditions" insert "identified by the examining physician"; delete the comma after "tuberculosis."

b) - 1st line - replace "Child care" with "Homeless youth caretakers"
c) - 1st line - replace "Child care" with "Homeless youth caretakers"
d) - 1st line - replace "child care and" with "homeless youth staff or";
6th line - replace "child care" with "homeless youth"
e) - 4th line - replace "child care" with "homeless youth"
f) - 1st line - replace "child care and" with "homeless youth staff or";
2nd line - replace "child care" with "homeless youth"

Section 410.160 Staff Training

a) - 2nd line - replace "child care staff personnel" with "homeless youth staff"

5th line - replace "child care" with "homeless youth"; replace "staff" with "caretakers".

Add a third sentence which reads "Documentation that each employee of the

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

shelter has completed the training program shall be included in the employee's record."

Section 410.170 Live-in Staff

a) - 2nd line - replace "living quarters" with "bedroom"
b) - 4th line - immediately following "include" insert "food preparation and"

b) 1) - 1st line - after "requirement" insert "for foster parenting arrangements"; delete "in writing"

2nd and 3rd line - delete "for facilities licensed for four or fewer residents".

4th line - replace "children" with "youth"

b) 2) - to the end of the sentence add "and the Director's decision shall be in writing".

Immediately after Section 410.170 insert Section 410.250, Staff Coverage, and renumber it to Section 410.180

a) - 2nd line - replace "child care workers" with "homeless youth caretakers"
3rd line - change "four" to "six"; add a sentence to the end of the subsection which reads "At all times that there are seven or more residents in the shelter, the facility shall maintain a minimum staff/child ratio of 1:8."

b) - 1st line - change "child care worker" to "homeless youth caretaker"; add "on-site" before "awake";

2nd line - after "night" add "while residents are sleeping"

c) - delete subsection "The staff/child ratio shall not exceed 1:8"

d) - change d) to c) - 1st line - change "child care personnel" to "homeless youth staff"

2nd line - change "child care personnel" to "homeless youth staff"

4th line - change "child care" to "homeless youth"

e) - change e) to d) - 1st line - after "residents" add "in facilities other than foster parenting arrangements"

Section 410.180 Physical Facilities

Change the section number to 410.190

e) - delete "prescription and non-prescription drugs", capitalize the "D" of "dangerous"

Immediately prior to "Firearms" add "Unlawful controlled substances, alcohol,"

Change "F" in "Firearms" to lower case "f"

h) - to the end of the 1st sentence add "except that parents may share a double bed with their child over the age of 2"

i) - 1st line - add "or a sleeping room" immediately after "area"

2nd line - after "sex" add "except parents may share rooms with their children"

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Delete the second sentence in its entirety.

- j) - 1st line - after "sleeping area" add "or sleeping rooms"
- k) - 2nd line - add "physically and mentally" before "capable"
- k) 2) - 2nd line - insert "written" before "approval"; delete "the Department after consultation with the appropriate safety authority(ies)" and replace with "fire, health and safety officials".
- m) - to the end of the second sentence add "except for parents with their children"
- n) - 1st sentence - insert "and laundry" after "shower"
- l) - after "grants" add "approved by the Department"; after "shower" add "and/or laundry"
- 2) - after "residents" add "and laundry services"
- p) - insert "(Food Service Sanitation; 77 Ill. Adm. Code 750)" after "state."
- o) - to the end of the section add "except for parents and their children"
- t) - 1st line - after "pets" add "owned by live-in staff"
- u) - add a new subsection labeled u) which reads:
"Licensed foster homes sheltering homeless youth shall be regulated by the rules contained in 89 Ill. Adm. Code 402, Licensing Standards for Foster Family Homes, and shall provide the case management, notification and referral services required by this Part either directly or through the administration over the licensed foster home".

Section 410.190 Facility Capacity

Change the section number to 410.200

Section 410.200 Notification and Consent of Parent or Legal Guardian

Change the section number to 410.210

- a) - 2nd line - after "18" add "except for emancipated minors"; delete the last sentence beginning with "oral permission" in its entirety.
- b) - 5th line - delete the comma after "injury" and insert "or sexual"; delete the word "or neglect" after "abuse"; delete "as evidenced by past behavior."
- c) - add a sentence to the subsection which reads:
"Oral permission from a parent or guardian witnessed by two persons age 21 or over and documented in writing shall be considered as proof of consent for continuing placement for the purposes of these licensing requirements"
- d) - insert "(telephoning the phone number provided by the youth and checking with directory assistance)" after "effort"
- e) - 2nd line - immediately after "shelter" add "or the parent cannot be reached" after a "good faith effort" to contact the parents or legal guardian".
- 4th line - delete the comma after "guardian"
- 6th line - after "shall" insert "ask the local community-based youth service agency as defined in 89 Ill. Adm. Code 334 (Administration and Funding of

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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Community-Based Services to Youth) to"

- f) - at the end of the sentence add "with the consent of the shelter administrator"
- g) - 1st line - after "permission" add "and the consent of the shelter administrator"
- h) - to the end of the sentence add "and the shelter administration consents"

Section 410.210 Notification of Crisis Intervention Agency

Renumber Section 410.210 to 410.220

Reverse the order of subsections a) and b); in the relabeled a) change "24 hours" to "48 hours"

Section 410.220 Reporting to the Child Abuse Hotline

Renumber Section 410.220 to 410.230 and to the heading add "/Neglect" after "Abuse"

1st line - add "immediately" after "report"

Add a second sentence which reads "A parent who refuses to accept care and custody of their child under age 18 and who refuses to make an alternative safe plan for the care of the child shall be reported for neglect".

Section 410.230 Admission Criteria

Renumber Section 410.230 to 410.240

b) - 3rd line - after "shelter" insert "(e.g. intoxication, under the influence of drugs, or aggressive behavior)." 5th line - replace "to" with "for."

b) - 4th line - change "reported" to "referred for"

5th line - add "health" after "emergency"

Section 410.240 Shelter Care Services

Renumber Section 410.240 to 410.250

a) - 2nd line - add a period after "year"; insert "Overnight shelter shall be available" directly before "for a minimum"

c) - move c) to Section 410.310

Section 410.250 Staff Coverage

Move this section immediately after Section 410.170 and renumber to 410.180

Section 410.260 Length of Stay

3rd line - immediately after "residency" add "within a 90 day period," 5th line - after "each" add "up to a maximum of 120 nights"

6th line - immediately prior to "cooperation" add "the administrator's approval of the continued stay and the youth's"

7th line - to the end of the sentence add "by the shelter staff or the case management agency per Section 410.300 (Case Management Services)"

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Section 410.270 Discipline and Control of Residents

- a) - delete "the following standards set forth in" and delete 1), 2), 3), 4)

Section 410.280 Food and Nutrition

- a) 1) - after "agreements" insert "approved by the Department"; replace "agencies" with "organizations"

Section 410.300 Case Management Services

- a) - 1st line - insert "approved by the Department" after "referrals"

Section 410.310 Medical and Health Services

- b) - to the end of the sentence add "or a parent may administer prescription medications to his or her child. Homeless youth staff shall assist youth with self-administration of prescription drugs. Assisting with self-administered medications is limited to reminding the resident to take his/her medications, reading instructions for utilization, uncapping medication containers, and providing the proper liquid and utensil with which to take medications. Prescription medications shall be kept in a locked, safe place within the emergency shelter."
c) - add subparagraph c) which reads "Clean linens, a towel, washcloth, toothbrush and comb shall be provided to each incoming resident."

Section 410.340 Required Written Consents for Minors

- c) - 3rd line - delete "give to a shelter staff member" and replace with "from a parent or guardian witnessed by two persons age 21 or over and documented in writing"
4th line - insert "continuing" immediately prior to "placement"

Section 410.350 Records and Reports

- b) - at the beginning of the first sentence add "If the youth remains at the shelter more than 5 days in a 30 day period"; change the capital "R" in "Records" to a lower case "r"
g) - 3rd line - delete the colon after "include"
g) 1) - delete the label 1) and insert the sentence beginning "a daily log which" immediately following "include"; delete the semi colon after occurrences and insert the word "and"
2) - delete the label 2); and delete "a daily log on" from the sentence and insert the sentence immediately following "occurrences and"; immediately prior to "behavior management" insert "any"
h) - 1st line - delete the comma and insert "or legal"
3rd line - after "residents" add "under age 18"

Section 410.370 Termination of Shelter Care Services

- To the end of the sentence add "and shall advise residents both in writing and verbally of the policy."

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- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Do these rules replace an emergency rule currently in effect? Yes

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of : The purpose of these rules is to prescribe the standards for licensure as a Youth Emergency Shelter and to describe how to apply for an Emergency Shelter license.

- 16) Information and questions regarding these rules shall be directed to:

Name: Jacqueline Nottingham, Chief

Address: Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe
Springfield, Illinois 62701-1498

Telephone: 217/785-2592

The full text of the adopted rules begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

TITLE 89: SOCIAL SERVICES
 CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
 SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

PART 410
 LICENSING STANDARDS FOR YOUTH EMERGENCY SHELTERS

Section	Purpose
410.10	Definitions
410.20	Effective Date of Standards
410.30	Application for License
410.40	Application for Renewal of License
410.50	Provisions Pertaining to the License
410.60	Provisions Pertaining to Permits
410.70	Supervision of the Emergency Shelter
410.80	Finances
410.90	Homeless Youth Staff
410.100	Professional Staff Requirements
410.110	Support Staff
410.120	Volunteers
410.130	Background Inquiry
410.140	Health Requirements for Staff and Volunteers
410.150	Staff Training
410.160	Live-in Staff
410.170	Staff Coverage
410.180	Physical Facilities
410.190	Facility Capacity
410.200	Notification and Consent of Parent or Legal Guardian
410.210	Notification of Crisis Intervention Agency
410.220	Reporting to the Child Abuse Hotline
410.230	Admission Criteria
410.240	Shelter Care Services
410.250	Length of Stay
410.260	Discipline and Control of Residents
410.270	Food and Nutrition
410.280	Transportation of Youth
410.290	Case Management Services
410.300	Medical and Health Services
410.310	Education
410.320	Religion
410.330	Required Written Consents for Minors
410.340	Records and Reports
410.350	Records Retention
410.360	Termination of Shelter Care Services
410.370	Severability of This Part
410.380	

AUTHORITY: Implementing and authorized by the Child Care Act of 1969 (Ill. Rev. Stat. 1987, ch. 23, pars. 2211 et seq. as amended by P.A. 86-278 and P.A.

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86-386 effective January 1, 1990).

SOURCE: Emergency Rules adopted at 14 Ill. Reg. 999, effective January 1, 1990 for a maximum of 150 days; adopted at 14 Ill. Reg. 9407, effective May 31, 1990.

Section 410.10 Purpose

- The purpose of this Part is to prescribe the standards for licensure as a Youth Emergency Shelter and to describe how to apply for an Emergency Shelter license.
- The licensing standards set forth in this part are applicable to Youth Emergency Shelters as defined in the Child Care Act of 1969 (The Act) as amended (Ill. Rev. Stat. 1987, ch. 23, par. 2211 et seq.). An individual or organization that operates an emergency shelter only for youth ages 18 and older is exempt from licensing under the Act.

Section 410.20 Definitions

"Case management services" means services that include the assessment and identification of client needs, the identification of available resources to meet client needs, the development of an individualized service plan, the coordination, monitoring and evaluation of services for each client, and advocacy for a client to assure that services and resources are accessible and provided.

"Child" means any person under 18 years of age.

"Child care facility" means any person, group of persons, agency, association or organization, which arranges for or cares for children unrelated to the operator of the facility, apart from the parents. Child care facilities may be established for profit or not-for-profit. "Child care facility" is further defined in the Child Care Act of 1969. (Section 2.05 of The Act)

"Department" means the Illinois Department of Children and Family Services. (Section 2.02 of The Act)

"Emergency shelter," as used in this part, means a licensed youth emergency shelter which provides shelter care services, including overnight shelter, to youth from 14 to 18 years of age and their children and which may provide overnight shelter to persons up to age 21. An emergency shelter which provides overnight shelter to persons under 18 years of age may not shelter persons over age 21 and their children.

"Homeless youth" means persons found within the State who are under the age of 21, are not in a safe and stable living situation and cannot be reunited with their families. (Section 2.01a of The Act)

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"License" means a document issued by the Department of Children and Family Services which authorizes child care facilities to operate in accordance with applicable standards and the provisions of The Act.

"Licensee" means those individuals, agencies or organizations who hold a license or permit issued by the Department of Children and Family Services.

"Licensing applicant" means those individuals, agencies or organizations who applied for a license from the Department of Children and Family Services.

"Licensing representative," for the purpose of this part, means those Department staff authorized under The Act to examine facilities for licensure.

"Permit" means a one-time only document issued by the Department of Children and Family Services for a six-month period to allow the individual(s), agency or organization to become eligible for a license.

"Resident" and "youth" means any person who is a resident in the shelter care services component of an emergency shelter for homeless youth.

"Shelter care services" means the provision of or referral for services as required by these rules, and the provisions of overnight sleeping facilities, laundry facilities, bathroom facilities (sink, toilet, shower), food and the adult supervision of such services when they are in operation and available to the recipients of these services.

"Youth Emergency Shelter" means a child care facility licensed by the Department to provide shelter care services, including overnight shelter, and referral for other shelter care services, to homeless youth from 14 to 18 years of age and their children in accordance with the requirements of The Act, as amended, and the requirements of 89 Ill. Adm. Code 410, (Licensing Standards for Youth Emergency Shelters).

Section 410.30 Effective Date of Standards

The standards prescribed in this part shall become effective upon the date they are officially adopted and published and shall apply within 180 days of the effective date of this Part to all facilities currently operating as an emergency shelter for homeless youth.

Section 410.40 Application for License

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- a) The individual applicant or governing body of the supervising organization or agency shall file the application for license as an emergency shelter on forms provided by the Department.
- b) The following items shall be attached to the application:
 - 1) staffing plan, including job descriptions and qualifications of staff;
 - 2) program plan; and
 - 3) annual operating budget showing anticipated expenses and income.
- c) A new application shall be filed:
 - 1) when an application for a license has been withdrawn, and the agency seeks to reapply; or
 - 2) when there is a change in:
 - A) the name of the licensee;
 - B) the address of the emergency shelter;
 - C) the supervising agency; or
 - 3) when the Department has revoked or refused to renew a license, and a new license is sought; or
 - 4) when the facility has been operating for at least one year and requests an increase in license capacity to more than 16 residents.
- d) A new application may be submitted at any time when a license, permit or application has been voluntarily surrendered or withdrawn by the applicant.
- e) If a child care facility's license is revoked, or if the Department refuses to renew a facility's license in accordance with Sections 8 and 8.1 of the Act, the facility may not reapply for a license before the expiration of 12 months following the Department's action; provided, however, that the denial of a re-application for a license pursuant to this Section must be supported by evidence that the prior revocation renders the applicant unqualified or incapable of satisfying the standards and rules promulgated by the Department pursuant to this Act or maintaining a facility which adheres to such standards and rules.
- f) If the facility re-applies following the expiration of the 12 month period, the application shall be considered to be an application for initial license and not an application for renewal of license.

Section 410.50 Application for Renewal of License

- a) The Department shall mail the application forms for renewal of a license to the supervising individual or organization responsible for the emergency shelter six months before the expiration of the emergency shelter license.
- b) To be considered a timely and sufficient application, the supervising individual or organization shall submit the completed application to the Department at least three months before the date of the expiration of the emergency shelter license.
- c) Upon receipt of the application for license renewal, the Department

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shall conduct a license study which will include but is not limited to on-site visits, a review of records, interviews, and safety clearances in order to determine whether the emergency shelter continues to meet licensing standards. The written licensing study shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study.

- d) When a licensee has made timely and sufficient application for renewal of a license and the Department fails to render a decision prior to the expiration date of the license, the existing license shall continue in full force and effect for up to thirty (30) days until the final Department decision has been made. The Department may further extend the period in which such decision must be made in individual cases for up to 30 days, if good cause is shown. "Good cause" includes but is not limited to staff shortages.

Section 410.60 Provisions Pertaining to the License

- a) An emergency shelter which provides shelter for youth from the age of 14 to 18 shall be licensed under this Part. A youth emergency shelter may shelter persons up to the age of 21. A youth emergency shelter shall not shelter any person over the age of 21 or under the age of 14 except that the children of homeless youth may be sheltered with their parents.
- b) An emergency shelter license is valid for two years unless revoked by the Department or voluntarily surrendered by the licensee.
- c) The number of persons admitted to the emergency shelter shall not exceed the license capacity.
- d) The age limits specified on the license shall be observed.
- e) Children under 18 years of age whose parents serve as staff members maintaining a residence in the emergency shelter shall be included in determining the license capacity if they live in the same quarters as youth accepted for care.
- f) The following changes in licensing status shall occur only upon prior approval of the Department:
 - 1) the age or sex of youth served;
 - 2) the licensed capacity; and
 - 3) the area within the emergency shelter used for residents.
- g) The license shall not be transferred or transmitted to another individual, organization or sponsor.
- h) The license shall not be valid for a name or an address different than the name and address shown on the license.
- i) The license shall be displayed on the premises.
- j) There shall be no fee or charge for the license.

Section 410.70 Provisions Pertaining to Permits

- a) A permit shall not be issued until:
 - 1) the application for license has been completed and signed by the applicant and submitted to the Department;

- 2) written clearances issued by the State or local authorities concerning compliance with the fire, health, sanitation and safety requirements as specified in state rules and municipal codes are received. Such State rules include when applicable Fire Prevention and Safety (41 Ill. Adm. Code 100); Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances (41 Ill. Adm. Code 180); Storage, Transportation, Sale and Use of Liquefied Petroleum Gas (41 Ill. Adm. Code 200); Boiler and Pressure Vessel Safety Rules and Regulations (41 Ill. Adm. Code 120); Food Service Sanitation Code (77 Ill. Adm. Code 750); Private Sewage Disposal Code (77 Ill. Adm. Code 905); Control of Communicable Diseases Code (77 Ill. Adm. Code 690); Illinois Plumbing Code (77 Ill. Adm. Code 890); Structural Pest Control Code (77 Ill. Adm. Code 830). If well water is used, a copy of the inspection report and certification of compliance with local or state health department regulations (Illinois Water Well Construction Code (77 Ill. Adm. Code 920), Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925)) must be on file;
- 3) a person in charge of the daily operation (administrator or homeless youth supervisor) of the emergency shelter has been selected and is prepared to begin work at the facility;
- 4) furnishings, equipment and space sufficient for the number of youth to be served have been acquired;
- 5) child care staff sufficient for the number of youth to be served have been selected and are prepared to begin work at the facility;
- 6) background inquiries required by Section 410.130 have been completed;
- 7) a plan for the provision of food, clothing, educational and religious opportunities and health care of youth has been developed;
- 8) the facility has established procedures and forms to maintain required records including records on the youth served;
- 9) a written plan on how the requirements for licensure will be met within the permit period has been developed;
- 10) a projected annual budget for the emergency shelter, approved by the supervising individual or the policy-making body of the supervising organization, has been developed; and
- 11) an on-site visit to the facility by the licensing representative has been completed.
 - b) A permit shall not be issued retroactively.
 - c) The permit shall not be transferred or transmitted to another individual, organization or sponsor.
 - d) The permit shall not be valid for a name or an address different from the name and address shown on the issued permit.
 - e) The permit shall not be renewable.
 - f) The permit shall be displayed on the premises at all times.
 - g) A license shall be issued any time within the six-month period covered

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- by the permit provided the facility achieves compliance with the Department's licensing standards.
- h) There will be no fee or charge for issuing the permit.

Section 410.80 Supervision of the Emergency Shelter

- a) The supervising individual or organization shall designate a qualified administrator to provide ongoing program administration, personnel administration and monitoring of the emergency agency shelter's operation. Administrative staff of a licensed child welfare agency may serve as the administrator of the youth emergency shelter. The administrator shall maintain fiscal and administrative records for the shelter. The administrator shall conduct on-site visits and on-site conferences with personnel employed at the shelter at least twice a month. Visits at the shelter shall include contact with residents to determine the residents' view of the program.
- b) The administrator shall:
- 1) be at least 25 years of age;
 - 2) have at least a Bachelor's degree; and
 - 3) have at least two years of successful full-time experience in a residential or shelter care program or in related youth service programs with at least one year in program administration.
- c) If the emergency shelter does not have a separate homeless youth supervisor, the administrator also shall meet the requirements for a homeless youth supervisor if required by Section 410.100 of this Part and shall visit the emergency shelter at least weekly.
- d) The supervising individual or organization shall be responsible for providing and maintaining qualified staff and volunteers as specified in this Part.
- e) The supervising individual or organization shall assure that all persons connected in any way with the emergency shelter are of reputable character as determined by background checks, character references, and a personal interview.
- f) When notified by the Department that an employee, volunteer or other person in frequent contact with residents of the facility is the subject of a formal investigation for child abuse or neglect pursuant to the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1987, ch. 23, pars 2051 et seq.) the licensee shall take reasonable action necessary to assure that the employee or other person is restricted during the pendency of the investigation from contact with the residents. Such reasonable action includes, but is not limited to barring or removing the person from the facility, assuring that another adult is always present when the subject of the investigation is in contact with residents.

Section 410.90 Finances

- a) The supervising individual or organization shall maintain a degree of financial solvency that insures care of homeless youth as required by

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this Part. An individual or agency is considered insolvent if its financial condition is such that the sum of its debts is greater than all of its property, at a fair valuation, exclusive of property transferred, concealed or removed with intent to hinder, delay or defraud its creditors. (This definition of "insolvency" is based on the definition contained in the United States Bankruptcy Code of 1978, 11 U.S.C. 101(26).)

- b) The emergency shelter shall maintain fiscal records which shall include:
- 1) current and projected operating budget for the facility for which a license is sought;
 - 2) financial records that are audited annually and certified by public accountants not affiliated with the shelter.
- c) The above records shall be maintained and kept in the State of Illinois where they shall be readily available for review by designated Department licensing staff.

Section 410.100 Homeless Youth Staff

- a) A homeless youth supervisor shall be required for any shelter which is serving more than 10 homeless youth and shall:
- 1) be at least 25 years of age;
 - 2) have obtained a high school diploma or GED certificate;
 - 3) have three years of full-time experience in a residential or shelter care program or in related youth service programs;
 - 4) demonstrate skill in working with and managing youth of the type served in the program; and
 - 5) demonstrate ability to work cooperatively with administrative staff and persons external to the program.
- b) Homeless youth caretakers are those persons whose primary responsibility is the daily supervision of the residents. Persons employed in other capacities may function as homeless youth caretakers provided they are qualified as homeless youth caretakers and other duties do not interfere with supervision of the youth. Homeless youth caretakers shall:
- 1) be at least twenty-one years of age;
 - 2) have obtained a high school diploma or GED certificate;
 - 3) be in good physical and mental health per Section 410.150;
 - 4) have demonstrated through employment or volunteer work:
 - A) skills in the field of child care or the capacity to develop such skills;
 - B) ability to work within the program structure and to accept supervision; and
 - C) ability to work constructively with parents, other agencies and the community.
- c) Administrators may approve a foster parent licensed by the Department of Children and Family Services to serve as a homeless youth caretaker for up to six homeless youth in the licensed foster home provided space requirements are met and no other population of foster children

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is being served in the home.

Section 410.110 Professional Staff Requirements

Professional staff which are full-time, part-time or consulting (volunteers, employed or contractual) such as social workers, psychologists, psychiatrists, physicians, dentists, teachers, nutritionists, nurses, speech, occupational, recreational or physical therapists, etc., shall meet the respective licensing and registration requirements of the State of Illinois.

Section 410.120 Support Staff

Supportive services such as maintenance, housekeeping and food preparation if provided may be provided by support staff or contractual personnel. Supportive services may be provided by homeless youth staff only if these duties do not interfere with supervision of the youth in the emergency shelter. Youth may be required to do simple household duties under the supervision of staff.

Section 410.130 Volunteers

All volunteers shall meet the requirements of the functions they perform, shall be trained for the tasks they perform and shall be under the supervision of an appropriate staff member.

Section 410.140 Background Inquiry

- a) The supervising organization shall ensure that all prospective and current employees and volunteers used to replace or supplement staff authorize a background check and otherwise meet the requirements of 89 Ill. Adm. Code 385 (Background Checks).
- b) As a condition of issuance or renewal of a license by the Department, the supervising organization that sponsors the emergency shelter shall require all prospective and current employees, volunteers and subcontractor employees who have direct contact with shelter residents to furnish information on any offenses (other than a minor traffic violation) for which they have been convicted in accordance with the standards set forth in the Department's rulemaking, 89 Ill. Adm. Code 358 (Background Inquiry for Purchase of Service Providers).

Section 410.150 Health Requirements for Staff and Volunteers

- a) All homeless youth caretakers and support staff shall have an initial medical examination which provides evidence that they are free of communicable diseases, including active tuberculosis, or physical or mental conditions identified by the examining physician which affect their ability to perform assigned duties.
- b) Homeless youth caretakers and support staff shall have a tuberculin skin test administered by the Mantoux method in accordance with the rules of the Department of Public Health, 77 Ill. Adm. Code 690

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- c) (Control of Communicable Diseases Code). Homeless youth caretakers and support staff shall be reexamined at least every two years. Reports of the examination shall be maintained by the supervising individual or organization.
- d) Should the homeless youth staff or support staff be diagnosed as having a communicable disease for which isolation is required by the Department of Public Health (IDPH) or local health department, the emergency shelter shall abide by the requirements of the public health agency until the infectious period has elapsed. Further, a homeless youth staff member or substitute who does not reside in the emergency shelter diagnosed as having a communicable disease for which isolation is required shall be barred from the shelter until the presence of such person is authorized by the IDPH or the local health department.
- e) During the hours of operation of the emergency shelter, there shall be at least one person on the premises certified in first-aid, the Heimlich maneuver and in cardiopulmonary resuscitation by the American Red Cross or the American Heart Association. Homeless youth staff shall have on file current certificates attesting to the training.
- f) Homeless youth staff or support staff shall not smoke in the presence of youth or consume alcohol in the facility. Homeless youth staff who appear to be under the influence of alcohol or other drugs shall not have responsibility for the care of youth.

Section 410.160 Staff Training

- a) There shall be an organized in-service training program to equip homeless youth staff to meet the individual and group care needs of the residents. In-service training shall consist of at least 15 clock hours of training in the two year license period for homeless youth supervisors and caretakers, whether paid or volunteer. Documentation that each employee of the shelter has completed the training program shall be included in the employee's personnel record.
- b) The in-service training program shall include content designed to familiarize staff with licensing rules, infection control measures, safety, identification of drug and alcohol abuse, symptoms of communicable disease, and training in the customs of different cultures.

Section 410.170 Live-in Staff

- a) Facilities which utilize live-in staff shall provide staff with their own bedroom so located as to assure that they are readily available and easily accessible to the residents in the shelter.
- b) Person(s) counted in the staff-to-child ratio must be present, awake and free from responsibilities other than those directly related to the care and supervision of the residents when they are present. These responsibilities may include food preparation and light housekeeping to maintain the area(s) wherein child care is provided.
 - 1) The awake night staff requirement for foster parenting

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arrangements may be waived by the Director of the Department or his designee when the facility has demonstrated that the well-being of the youth can be protected in accordance with the requirements of this Part.

- 2) A request for a waiver of the awake night staff requirement shall be in writing and the Director's decision shall be in writing.

Section 410.180 Staff Coverage

- a) When the shelter care services of the program are open there shall be at least two homeless youth caretakers on duty at all times that there are more than six residents in the shelter. At all times that there are seven or more residents in the shelter, the facility shall maintain a minimum staff/child ratio of 1:8.
- b) At least one homeless youth caretaker shall be on-site awake and alert throughout the night while residents are sleeping to assure the protection and supervision of the residents in the emergency shelter unless a waiver of the awake night staff requirement has been granted per Section 410.170.
- c) During the absence of regular homeless youth staff for time off, vacation and sick leave, substitute homeless youth staff must be provided. These substitutes shall meet the minimum requirements for homeless youth staff in Section 410.100.
- d) Residents in facilities other than foster parenting arrangements shall be under the direct supervision of staff of the same sex while in their sleeping or bathroom areas.

Section 410.190 Physical Facilities

- a) Buildings, or parts of buildings, acquired or converted for use as an emergency shelter shall be safe, clean, well-ventilated, properly lighted and heated.
- b) If well water is used, a copy of the inspection report and compliance with local or state health department regulations shall be on file.
- c) Fire prevention and health standards complying with state laws and municipal codes shall be maintained.
- d) The emergency shelter shall have written emergency plans in the event of fire or natural disaster. The plans shall be posted in an area accessible to residents and shall be reviewed with residents upon their first admission.
- e) Dangerous household supplies and dangerous tools shall be kept in safe, locked places. Unlawful controlled substances, firearms, ammunition, and other weapons shall not be permitted in an emergency shelter.
- f) There shall be provisions for separating a resident who is suspected of having a contagious disease from other residents pending medical determination.
- g) The emergency shelter shall have an operating telephone on the premises.

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- h) Each resident shall be provided with a separate bed except that parents may share a double bed with their child over the age of 2. Each bed shall have a mattress and comfortable bedding. The bedding shall be changed for each new resident assigned to a bed. If a resident will be staying in the shelter for more than seven days, linens shall be changed at least weekly.
- i) Residents shall not share a sleeping area or a sleeping room with residents of the opposite sex except parents may share rooms with their children.
- j) Sleeping areas or sleeping rooms shall be furnished according to the ages and special needs of the residents. There shall be a minimum of (35) square feet of floor space per resident, excluding the closet and wardrobe area.
- k) Basements and attics may be used for sleeping for youth who are mobile, physically and mentally capable of self preservation, and able to understand and follow directions with minimal assistance in an emergency.
 - 1) To be used for sleeping, basements and attics shall have two exits with one exit leading directly to the outside with means to safely reach the ground level. The second exit may be an easily accessible outside window which provides an unobstructed opening, operable from the inside without the use of tools, and large enough to accommodate an adult. The sleeping area shall be separated from the furnace and utility areas.
 - 2) No basement or attic shall be used for sleeping without the written approval of fire, health, and safety officials.
- l) The sleeping areas shall be exposed to an operable outside window or shall have some alternate permanent means of ventilation.
- m) There shall be a bathroom unit including a lavatory and toilet for every ten youth. Bathroom use shall be separate for males and females except for parents with their children.
- n) Shower and laundry facilities for the residents shall be provided in one of two ways:
 - 1) through written agreements approved by the Department with services such as drop-in centers that provide shower and/or laundry facilities for the residents; or
 - 2) through the provision of one shower facility for every 10 residents and laundry services on site at the emergency shelter.
- o) Shower use shall be separate for males and females except for parents and their children.
- p) Kitchen and dining facilities shall be maintained in a clean and sanitary condition in accordance with the requirements of state (Food Service Sanitation; 77 Ill. Adm. Code 750) and local public health authorities.
- q) Space and equipment shall be provided for indoor and outdoor recreation. Recreational resources in nearby communities may be used to fulfill this requirement.
- r) There shall be office facilities and equipment for the conduct of the shelter's professional services and business affairs. The office

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guardian witnessed by two persons age 21 or over and documented in writing shall be considered as proof of consent for continuing placement for the purposes of these licensing requirements.

- d) Emergency shelter staff shall make a "good faith effort" (telephoning the phone number provided by the youth and checking with directory assistance) to contact the parent or legal guardian. Such efforts shall be documented in writing by the shelter staff.
- e) In all cases where the parent or legal guardian refuses to grant permission to the youth to stay in the emergency shelter or the parent cannot be reached after a good faith effort to reach the parents or legal guardian and the youth refuses to return to the care and custody of the parent or legal guardian or to the care and custody of an individual or organization chosen by the parents or legal guardian, the emergency shelter staff shall ask the local community-based youth service agency as defined in 89 Ill. Adm. Code 334 (Administration and Funding of Community-Based Services to Youth) to file a petition in juvenile court alleging that the youth is a minor requiring authoritative intervention (MRAI) to initiate a hearing on the matter within 21 days of the first day of acceptance of the youth into the emergency shelter.

f) During the waiting period before the MRAI petition can be heard by the court the youth may remain in the emergency shelter of his or her own volition with the consent of the shelter administrator.

g) With the court's permission and the consent of the shelter administrator the youth may remain in the emergency shelter during the time it takes for the court to complete the proceedings pursuant to any petition filed on behalf of the minor.

h) When the court grants the youth partial or complete emancipation that gives the youth the right to place himself of his own volition in the emergency shelter, the youth may remain as long as the emancipation order granting this right remains in effect and the shelter administration consents.

Section 410.220 Notification of Crisis Intervention Agency

a) Emergency shelter staff shall initiate contact with the crisis intervention agency within 48 hours to make arrangements for an interview with the youth service provider.

b) Emergency shelter staff shall document their efforts to make homeless youth available to meet with the youth service provider serving the area for voluntary acceptance or rejection of crisis intervention services.

Section 410.230 Reporting to the Child Abuse/Neglect Hotline

Emergency shelter staff shall report immediately all youth under age 18 by telephone to the Statewide Central Register of the Department of Children and Family Services if there is reasonable cause to suspect the child has been abused and neglected. A parent who refuses to accept care and custody of their

facilities do not need to be at the same location as the shelter facility but they must be located within reasonable daytime access to the residents.

- s) There shall be space designated in the facility for private interviews or conferences with residents.
- t) Healthy household pets owned by live-in staff which present no danger to residents are permitted on the premises unless prohibited by local health regulations. A licensed veterinarian shall certify that the animals are free of diseases that could endanger the resident's health and that dogs and cats have been inoculated for rabies.
- u) Licensed foster homes sheltering homeless youth shall be regulated by the rules contained in 89 Ill. Adm. Code 402, Licensing Standards for Foster Family Homes, and shall provide the case management, notification and referral services required by this Part either directly or through the administration over the licensed foster home.

Section 410.200 Facility Capacity

The initial capacity of an emergency shelter shall be limited to no more than 16 beds. After one year of operation the supervising individual or organization may file a new application to request that the capacity be expanded up to 30 beds. In the application the supervising individual or organization shall demonstrate that:

- a) there is an identified need for additional beds;
- b) space, equipment and staff are available in the proposed emergency shelter to meet all requirements of this Part; and
- c) the supervising individual or organization has successfully operated an emergency shelter with a lower capacity.

Section 410.210 Notification and Consent of Parent or Legal Guardian

a) The emergency shelter program shall, for all residents under the age of 18 except for emancipated minors, within 24 hours of the youth's arrival at the shelter, notify the youth's parent or legal guardian of the youth's presence in the shelter program and attempt to obtain written or oral permission from the parent or legal guardian for the continued placement of the youth in the shelter if the parent or guardian is unable or unwilling to effect the youth's immediate return home.

b) Notification to a parent or legal guardian may be delayed beyond 24 hours when compelling circumstances indicate that the parent or legal guardian should not be notified. Examples of compelling circumstances include, but are not limited to, real and significant danger of physical injury or sexual abuse from a parent or legal guardian.

c) For youth under the age of 18 verification of age and consent for continued placement shall be obtained in writing or verbally from the parent or legal guardian before the provision of a fifth night of shelter within a thirty-day period. Oral permission from a parent or

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child under age 18 and who refuses to make an alternative safe plan for the care of the child shall be reported for neglect.

Section 410.240 Admission Criteria

- a) The homeless youth must enter the emergency shelter program of his/her own volition.
- b) No youth may be admitted to the shelter who, in the assessment of staff with supervisory approval, poses a serious threat of injury to themselves or to other residents in the shelter (e.g. intoxication, under the influence of drugs, or aggressive behavior). Any youth with serious health problems shall be immediately referred for local emergency health services.
- c) Any youth who is suspected of having a contagious disease should be separated from other youth until a medical determination has been received that the disease is not contagious or is no longer contagious.

Section 410.250 Shelter Care Services

- a) Shelter care services of the emergency shelter shall be available to the residents of the shelter each day of the year. Overnight shelter shall be available for a minimum of twelve consecutive hours of service between the hours of 6 p.m. in the evening and 9 a.m. in the morning. Shelter care services are defined in Section 410.20, Definitions.
- b) In the event that a resident is seriously ill or otherwise unable to take care of himself away from the emergency shelter during the hours that it is not normally open for services, the emergency shelter shall have procedures in place to provide for adequate care and supervision of the resident until appropriate care can be found.

Section 410.260 Length of Stay

The length of stay of a resident in an emergency shelter for homeless youth may range from one night up to 21 nights depending upon the plan for the youth. After 21 nights of residency within a 90 day period, the facility shall evaluate the youth's need for continued shelter care and may extend the youth's stay for additional periods of 30 nights each up to a maximum of 120 nights. Continued stays beyond the first 21 nights shall be conditioned upon the administrator's approval of the continued stay and the youth's cooperation with the service plan established for the youth by the shelter staff or the case management agency per Section 410.300 (Case Management Services).

Section 410.270 Discipline and Control of Residents

- a) The use of discipline and behavior management techniques in the emergency shelter shall be in accordance with the Department Rules 89 Ill. Adm. Code 384 (Discipline and Behavior Management in Child Care

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- b) Youth emergency shelters shall not institute an organized self-governance program, use confinement techniques to control children, administer psychotropic medications, or operate secure residential care facilities.

Section 410.280 Food and Nutrition

- a) It shall be the responsibility of the emergency shelter to provide for the food and nutritional needs of its residents in one of two ways:
 - 1) through written agreements approved by the Department with other organizations which provide evening and breakfast meals for the residents; or
 - 2) through the provision of kitchen and dining facilities at the temporary shelter and the food necessary for the preparation of an evening and breakfast meal.
- b) If youth who have special medical, cultural, or religious needs are accepted at the emergency shelter, the meals shall be appropriate for the special needs of the youth accepted.
- c) If the emergency shelter is providing the evening and breakfast meal at the shelter facility, shelter staff may prepare the evening and breakfast meal for the residents or may allow the residents to prepare their own meals under the supervision of emergency shelter staff.
- d) Youth suspected of suffering from dehydration or malnutrition shall be referred for a medical assessment and treatment, as appropriate.

Section 410.290 Transportation of Youth

- a) An emergency shelter providing transportation services shall comply with the provisions of: Sections 6-101 and 6-102 of the Illinois Driver Licensing Law (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-101 and 6-102, The Illinois Safety Responsibility Law (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 7-100 et seq.), The Illinois Rules of the Road (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-100 et seq.) and the Illinois Vehicle Equipment Law (Ill. Rev. Stat. 1987, ch. 95 1/2 par. 12-100 et seq.).
- b) The driver of a vehicle transporting children on behalf of an emergency shelter shall be at least 21 years of age.
- c) The driver and attendants shall meet the requirements of Sections 410.140 and 410.150.
- d) The driver shall not leave the vehicle unattended at any time while transporting youth.
- e) The driver shall see that each youth boards and leaves the vehicle from the curb side of the street.
- f) The driver shall see that order is maintained in the vehicle for safety of the youth in transit.
- g) The number of youth transported in a vehicle shall not exceed the manufacturers rated passenger capacity.
- h) Seat belts shall be worn at all times the vehicle is in motion.

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- i) A vehicle used by the shelter to transport children shall be maintained in a mechanically safe condition at all times.
- j) Any vehicle designed for the transportation of more than 10 persons (including the driver) shall be equipped with a first aid kit when used for transporting children. The first aid kit shall consist of Band-Aids, sterile gauze pads, 40-inch triangular bandage with two safety pins, wire or wood splint, adhesive tape, scissors and instructions for use of the contents of the kit.

Section 410.300 Case Management Services

It shall be the responsibility of the emergency shelter to provide for case management services for the residents in one of two ways:

- a) through referrals approved by the Department to the case management services of other organizations who have agreed in writing to provide these services to the residents of the emergency shelter who want them; or
- b) through the direct provision of case management services to residents who want them by the staff of the emergency shelter.

Section 410.310 Medical and Health Services

- a) It shall be the responsibility of the parent or legal guardian of residents under age 18 to provide for medical and dental examinations of the youth and the subsequent treatment of diagnosed medical and dental problems. Medical care may be provided through a family physician or through community-based facilities which have entered into written agreements to provide medical care for youth staying at the emergency shelter.

- b) Prescription drugs will be self-administered or a parent may administer prescription medications to his or her child. Homeless youth staff shall assist youth with self-administration of prescription drugs. Assisting with self-administered medications is limited to reminding the resident to take his/her medications, reading instructions for utilization, uncapping medication containers, and providing the proper liquid and utensils with which to take medications. Prescription medications shall be kept in a locked, safe place within the emergency shelter.
- c) Clean linens, a towel, washcloth, toothbrush and comb shall be provided to each incoming resident.

Section 410.320 Education

Each youth shall have the opportunity and shall be encouraged to complete high school or vocational training in accordance with his or her aptitude through referral to community resources that can provide these services.

Section 410.330 Religion

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Each youth shall be given information on available religious institutions in the area.

Section 410.340 Required Written Consents for Minors

- a) It shall be the responsibility of the emergency shelter to help residents under the age of 18 obtain written consent from legally responsible persons (parent, court, legal guardian), as needed. Actions which require parental/guardian consent include, but are not limited to:

- 1) placement in the emergency shelter program for more than five days in a 30 day period;
 - 2) health care and treatment, including medical, surgical, psychiatric and dental;
 - 3) religious instruction and/or church attendance in a different faith from their parent.
- b) Written consents shall be dated and limited to a specific period of time.
- c) In the event that written permission is not obtainable for placement in the emergency shelter for more than five days in a 30 day period, oral permission from a parent or guardian witnessed by two persons age 21 or over and documented in writing shall be considered as proof of "consent for continuing placement" for the purposes of these licensing requirements.

Section 410.350 Records and Reports

- a) The supervising individual or organization shall maintain current records on each child receiving shelter care services, on agency personnel (including volunteers), and on each facility operating under its supervision.
- b) If the youth remains at the shelter more than 5 days in a 30 day period records for each youth shall include a brief admission history, guardian/parental permission for care, name, birthdate, proof of age, name, address, and phone number of parent or legal guardian, religion, educational level, and case recording reflective of the ongoing shelter care of the youth.
- c) Records shall be maintained on all employees and, in addition, for each volunteer who has responsibility for the care and supervision of youth. The records shall document compliance with Section 410.140, Background Inquiry.
- d) The supervising individual or organization shall maintain a separate file of responses to the background inquiry required by Section 410.140 and 89 Ill. Adm. Code 358 (Background Inquiry for Purchase of Service Providers) and the results of the background check required by Section 410.140 and 89 Ill. Adm. Code 385 (Background Checks).
- e) The supervising individual or organization shall maintain records on staff and volunteers and shall submit reports to the Department on forms prescribed by the Department. The following personnel reports

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are required:

- 1) A personnel report on each new employee (including owner, operator, or director) shall be filed with the Department. A copy of this report shall be kept at the agency.
- 2) All staff changes shall be reported to the Department immediately.
- 3) Copies of documentation of medical information, verification of educational achievement, and character references of employees shall be provided upon request by the Department.
- f) Financial records of operations shall be maintained as part of the permanent records of the emergency shelter and shall include a copy of the annual audit.
- g) In addition to the records maintained by the supervising individual or organization, the emergency shelter shall maintain current records on its premises. These records shall include a daily log which includes entries on each resident's stay in the emergency shelter and records any unusual incidents or serious occurrences and the use of any behavior management techniques as described in 89 Ill. Adm. Code 384, (Discipline and Behavior Management in Child Care Facilities).
- h) The emergency shelter shall report to the resident's parent or legal guardian and the Department any unusual incidents and serious occurrences involving residents under age 18. These incidents and occurrences shall be reported in writing, or if made verbally, confirmed in writing within 2 working days of the occurrence. Unusual incidents or occurrences include serious accident or injury requiring extensive medical care or hospitalization, death, arrest, alleged abuse or neglect, major fire or other emergency situations, or any serious incident which results in legal action by or against the emergency shelter, which affects any resident, personnel or conduct of the temporary shelter.
- i) Records shall be kept in safe, locked places.
- j) Authorized Department licensing representatives or other Department representatives who have the Director's written authorization shall have access to the records and reports. All persons who have access to the records and reports shall respect their confidential nature.

Section 410.360 Records Retention

Personnel, general and financial records required of the supervising individual or organization shall be maintained for five years. Children's records shall be maintained for at least five years after the child's majority.

Section 410.370 Termination of Shelter Care Services

The emergency shelter shall have a written policy outlining the reasons for which residents may be terminated from shelter care services and shall advise residents both in writing and verbally of the policy.

Section 410.380 Severability of This Part

If any court of competent jurisdiction finds that any Section, clause, phrase or provision of this Part is unconstitutional or invalid for any reason whatsoever, this finding shall not affect the validity of the remaining portions of this Part.

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Effluent Standards
- 2) Code Citation: 35 Ill. Adm. Code 304
- 3) Section Numbers: Adopted Action:
304.221 New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1013 and 1027.
- 5) Effective Date of Rule: May 31, 1990
- 6) Does this rulemaking contain an automatic repeal date?: No
- 7) Does this Rule contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: May 24, 1990
- 9) Notice of Proposal Published in Illinois Register:
13 Ill. Reg. 17633 November 17, 1989
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
The provisions contained in subsections (a) and (b) were combined into one section. Summer was defined as "May to September" and winter was defined as "October to April."
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this Rule replace an emergency Rule currently in effect? No.
- 14) Are there any other amendments pending on this Part? Yes.
The Board has proposed amendments in Board docket R86-14.

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
304.211	New Section	14 Ill. Reg. 2999 (March 2, 1990)

- 15) Summary and Purpose of Rule:
The adopted amendments contain effluent standards for biochemical oxygen demand and total suspended solids which pertain to the Modine Manufacturing Company's discharge to the unnamed tributary to Dutch Creek, in Ringwood, McHenry

NOTICE OF ADOPTED AMENDMENTS

County. Other related amendments are proposed in Part 303 and are contained in a separate notice pertaining to that part.

A complete description is contained in the Board's Opinion of May 24, 1990, in R87-36, which is available from the Clerk of the Board at: Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph St., Suite 11-500, Chicago, IL 60601.

- 16) Information and questions regarding this adopted rule shall be directed to:

Michelle Tarallo
Illinois Pollution Control Board
P. O. Box 505
DeKalb, IL 60115
815/753-0947

The full text of the Adopted Rule begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE C: WATER POLLUTION

CHAPTER I: POLLUTION CONTROL BOARD

PART 304

EFFLUENT STANDARDS

SUBPART A: GENERAL EFFLUENT STANDARDS

Section
304.101
304.102
304.103
304.104
304.105
304.106
304.120
304.121
304.122
304.123
304.124
304.125
304.126
304.140
304.141
304.142

Preamble

Dilution

Background Concentrations

Averaging

Violation of Water Quality Standards

Offensive Discharges

Deoxygenating Wastes

Bacteria

Nitrogen (STORET number 00610)

Phosphorus (STORET number 00665)

Additional Contaminants

pH

Mercury

Delays in Upgrading (Repealed)

NPDES Effluent Standards

New Source Performance Standards (Repealed)

SUBPART B: SITE SPECIFIC RULES AND EXCEPTIONS

NOT OF GENERAL APPLICABILITY

Section
304.201
304.202
304.203
304.204
304.205
304.206
304.207

Wastewater Treatment Plant Discharges of the

Metropolitan Sanitary District of Greater Chicago

Chlor-alkali Mercury Discharges in St. Clair County

Copper Discharges by Olin Corporation

Schoenberger Creek: Groundwater Discharges

John Deere Foundry Discharges

Alton Water Company Treatment Plant Discharges

Galesburg Sanitary District Deoxygenating Wastes

Discharges

City of Lockport Treatment Plant Discharges

Good River Station Total Suspended Solids Discharges

Alton Wastewater Treatment Plant Discharges

Sanitary District of Decatur Discharges

Union Oil Refinery Ammonia Discharge

Mobil Oil Refinery Ammonia Discharge

City of Tuscola Wastewater Treatment Facility

Discharges

Newton Station Suspended Solids Discharges

North Shore Sanitary District Phosphorus Discharges

304.216
304.219

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NOTICE OF ADOPTED AMENDMENTS

304.220 East St. Louis Treatment Facility, Illinois-American
Water Company
304.221 Ringwood Drive Manufacturing Facility in McHenry
County

SUBPART C: TEMPORARY EFFLUENT STANDARDS

Section

304.301

Exception for Ammonia Nitrogen Water Quality

Violations

304.302

City of Joliet East Side Wastewater Treatment Plant

APPENDIX A References to Previous Rules

AUTHORITY: Implementing Section 13 and authorized by Section 27
of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch.
111 1/2 pars. 1013 and 1027).

SOURCE: Filed with the Secretary of State January 1, 1978;
amended at 2 Ill. Reg. 30, p. 343, effective July 27, 1978;
amended at 2 Ill. Reg. 44, p. 151, effective November 2, 1978;
amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended
at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; amended at 4
Ill. Reg. 20, p. 53, effective May 7, 1980; amended at 6 Ill.
Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg.
7818; amended at 6 Ill. Reg. 11161, effective September 7, 1982;
amended at 6 Ill. Reg. 13750, effective October 26, 1982; amended
at 7 Ill. Reg. 3020, effective March 4, 1983; amended at 7 Ill.
Reg. 8111, effective June 23, 1983; amended at 7 Ill. Reg. 14515,
effective October 14, 1983; amended at 7 Ill. Reg. 14910,
effective November 14, 1983; amended at 8 Ill. Reg. 1600,
effective January 18, 1984; amended at 8 Ill. Reg. 3687,
effective March 14, 1984; amended at 9 Ill. Reg. 8237, effective
June 8, 1984; amended at 9 Ill. Reg. 1379, effective January 21,
1985; amended at 9 Ill. Reg. 4510, effective March 22, 1985;
peremptory amendment at 10 Ill. Reg. 456, effective December 23,
1985; amended at 11 Ill. Reg. 3117, effective January 28, 1987;
amended in R84-13 at 11 Ill. Reg. 7291, effective April 3, 1987;
amended in R86-17(A) at 11 Ill. Reg. 14748, effective August 24,
1987; amended in R84-16 at 12 Ill. Reg. 2445, effective January
15, 1988; amended in R83-23 at 12 Ill. Reg. 8658, effective May
10, 1988; amended in R87-27 at 12 Ill. Reg. 9905, effective May
27, 1988; amended in R82-7 at 12 Ill. Reg. 10712, effective June
9, 1988; amended in R85-29 at 12 Ill. Reg. 12064, effective July
12, 1988; amended in R87-22 at 12 Ill. Reg. 13966, effective
August 23, 1988; amended in R86-3 at 12 Ill. Reg. 20126,
effective November 16, 1988; amended in R84-20 at 13 Ill. Reg.
851, effective January 9, 1989; amended in R85-11 at 13 Ill. Reg.
2060, effective February 6, 1989; amended in R88-1 at 13 Ill.
Reg. 5976, effective April 18, 1989; amended in R86-17B at 13

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Ill. Reg. 7754, effective May 4, 1989; amended in R88-22 at 13
 Ill. Reg. 8880, effective May 26, 1989; amended in R87-6 at 14
 Ill. Reg. 6777, effective April 24, 1990; amended in R87-36
 at 14 Ill. Reg. 9437, effective May 31, 1990.

SUBPART B: SITE SPECIFIC RULES AND EXCEPTIONS
 NOT OF GENERAL APPLICABILITY

Section 304.221 Ringwood Drive Manufacturing Facility in
 McHenry County

The general effluent standards for deoxygenating wastes contained
 in Section 304.120 shall not apply to discharges from the
 manufacturing facility located on Ringwood Drive in Ringwood,
 McHenry County, which discharges to an unnamed tributary of Dutch
 Creek. Instead these discharges shall comply with the following
 effluent limitations as measured at the point of discharge after
 the third lagoon and prior to discharge to the unnamed tributary:

BOD ₅	25 mg/l	May to September monthly average
	35 mg/l	May to September daily maximum
	60 mg/l	October to April monthly average
	70 mg/l	October to April daily maximum
TSS	12 mg/l	monthly average
	30 mg/l	daily maximum

(Source: Added at 14 Ill. Reg. 9437, effective May 31, 1990)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Hearings Pursuant to Specific Rules
- 2) Code Citation: 35 Ill. Adm. Code 106
- 3) Section Numbers: Adopted Action:
 - 106.415 Amended
 - 106.506 Amended
 - 106.602 Amended
 - 106.604 Amended
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111½, par. 1026.
- 5) Effective Date of Rules(s) (Amendments, Repealer): June 5, 1990
- 6) Does this rulemaking contain an automatic repeal date? No.
 If so, please specify date _____
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No.
 If "yes" was a copy of the approval form issued by JCAR attached to this rulemaking?
- 8) Date Filed in Agency's Principal Office: May 10, 1990.
- 9) Notice(s) of Proposal Published in Illinois Register: 13 Ill. Reg. 14634, September 22, 1989.
- 10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? If answer is "yes," please complete the following: No.
 - A) Statement of Objection: _____, Ill. Reg. _____.
 - B) Agency Response: _____, Ill. Reg. _____.
 - C) Date Agency Response Submitted for Approval to JCAR:
- 11) Difference(s) between proposal and final version:
 There are no differences.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were necessary.

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- 13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- Section Numbers: Proposed Action Ill. Reg. Citation
- 15) Summary and Purpose of Rules(s): The Board is revising and updating its procedural rules. In doing so, the Board has repealed the "old" regulatory hearing rules (35 Ill. Adm. Code 102) and adopted new regulatory hearing rules (also found at Part 102). The only changes made to this Part 106 are non-substantive, simply updating references to Part 102.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Elizabeth S. Harvey
Pollution Control Board
100 W. Randolph Street
Suite 11-500
Chicago, IL 60601
(312) 814-6921

The full text of the adopted rule begins on the next page:

PART 106

HEARINGS PURSUANT TO SPECIFIC RULES

SUBPART A: HEATED EFFLUENT DEMONSTRATIONS

Section
106.101
106.102
106.103
106.104
106.105
106.106
106.107

Petition
Requirements for Petition
Parties
Recommendation
Notice and Hearing
Transcripts
Opinion and Order

SUBPART B: ARTIFICIAL COOLING LAKE DEMONSTRATIONS

Section
106.201
106.202
106.203
106.204

Petition
Notice and Hearing
Transcripts
Effective Date

SUBPART C: SULFUR DIOXIDE DEMONSTRATIONS

Section
106.301
106.302
106.303
106.304
106.305
106.306

Petition
Requirements for Petition
Parties
Recommendation
Notice and Hearing
Transcripts

SUBPART D: RCRA ADJUSTED STANDARD PROCEDURES

Section
106.401
106.402
106.403
106.404
106.405
106.406
106.407
106.408
106.410
106.411

Petition (Repealed)
Notice of Petition (Repealed)
Recommendation (Repealed)
Response (Repealed)
Public Comment (Repealed)
Public Hearings (Repealed)
Decision (Repealed)
Appeal (Repealed)
Scope and Applicability
Joint or Single Petition

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106.412 Request to Agency To Join As Co-Petitioner
 106.413 Contents of Petition
 106.414 Response and Reply
 106.415 Notice and Conduct of Hearing
 106.416 Opinions and Orders

SUBPART E: AIR ADJUSTED STANDARD PROCEDURES

Section
 106.501 Scope and Applicability
 106.502 Joint or Single Petition
 106.503 Request to Agency to Join As Co-Petitioner
 106.504 Contents of Petition
 106.505 Response and Reply
 106.506 Notice and Conduct of Hearing
 106.507 Opinions and Orders

SUBPART F: WATER WELL SETBACK EXCEPTION PROCEDURES

Section
 106.601 Scope and Applicability
 106.602 Contents of Petition
 106.603 Response and Reply
 106.604 Notice and Conduct of Hearing
 106.605 Opinions and Orders

SUBPART G: ADJUSTED STANDARDS

Section
 106.701 Applicability
 106.702 Definitions
 106.703 Joint or Single Petition
 106.704 Request to Agency to Join As Co-Petitioner
 106.705 Petition Contents
 106.706 Petition Verification
 106.707 Federal Procedural Requirements
 106.708 Incorporated Material
 106.709 Motions
 106.710 Service of Filings
 106.711 Petition Notice
 106.712 Proof of Petition Notice
 106.713 Request for Public Hearing
 106.714 Agency Response
 106.715 Amended Petition and Amended Response
 106.801 Hearing Scheduled
 106.802 Hearing Notice
 106.803 Pre-hearing Submission of Testimony and Exhibits
 106.804 Discovery
 106.805 Admissible Evidence

POLLUTION CONTROL BOARD

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106.806 Order of Hearing
 106.807 Post-hearing Comments
 106.808 Burden of Proof
 106.901 Board Deliberations
 106.902 Dismissal of Petition
 106.903 Board Decision
 106.904 Opinion and Order
 106.905 Appeal of Board Decisions
 106.906 Publication of Adjusted Standards
 106.907 Effect of Filing a Petition

Appendix A Old Rule Numbers Referenced

AUTHORITY: Implementing Sections 5, 14.2(c), 22.4, 27, 28 and 28.1 and authorized by Section 26 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111½, pars. 1005, 1014.2(c), 1022.4, 1027, 1028, 1028.1 and 1026).

SOURCE: Filed with Secretary of State January 1, 1978; amended at 4 Ill. Reg. 2, page 186, effective December 27, 1979; codified at 6 Ill. Reg. 8357; amended in R85-22 at 10 Ill. Reg. 992, effective February 2, 1986; amended in R86-46 at 11 Ill. Reg. 13457, effective August 4, 1987; amended in R82-1 at 12 Ill. Reg. 12484, effective July 13, 1988; amended in R88-10 at 12 Ill. Reg. 12817, effective July 21, 1988; amended in R88-5(A) at 13 Ill. Reg. 12094, effective July 10, 1989; amended in R88-5(B) at 14 Ill. Reg. 9442, effective June 5, 1990.

NOTE: Capitalization denotes statutory language.

SUBPART D: RCRA ADJUSTED STANDARD PROCEDURES

Section 106.415 Notice and Conduct of Hearing

- a) The Board will hold at least one public hearing prior to granting an adjusted standard.
- b) The hearing officer will schedule the hearing. The Clerk will give notice of hearing in accordance with 35 Ill. Adm. Code 102-124 102.162.
- c) The proceeding will be in accordance with 35 Ill. Adm. Code 102-160 through 102-164 102.Subpart J.

(Source: Amended at 14 Ill. Reg. 9442, effective June 5, 1990)

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SUBPART E: AIR ADJUSTED STANDARD PROCEDURES

Section 106.604 Notice and Conduct of Hearing

Section 106.506 Notice and Conduct of Hearing

- a) The Board will hold at least one public hearing prior to granting an adjusted standard.

- b) The hearing officer will schedule the hearing. The Clerk will give notice of the hearing in accordance with 35 Ill. Adm. Code ~~102-124~~ 102.162.

- c) The proceeding will be in accordance with 35 Ill. Adm. Code ~~102-160~~ through ~~102-164~~ 102.Subpart J.

(Source: Amended at 14 Ill. Reg. 9442, effective 6/5/90)

(Source: Amended at 14 Ill. Reg. 9442, effective 6/5/90)

SUBPART F: WATER WELL SETBACK EXCEPTION PROCEDURES

Section 106.602 Contents of Petition

- a) The petitioner shall file ten copies of the petition for exception with the Clerk of the Pollution Control Board (Board), and shall serve one copy upon the Agency.

- b) The petition shall contain the following information:

- 1) A written statement, signed by the petitioner or an authorized representative, outlining the scope of the evaluation, the nature of, the reasons for and the basis of the exception, consistent with the level of justification contained in Section 14.2(c) of the Act.
- 2) The nature of the petitioner's operations and control equipment; and
- 3) Any additional information which may be required in Section 14.2(c) of the Act.
- c) In accordance with 35 Ill. Adm. Code ~~103-123~~ 101.143 the petition shall contain proof of service on owners required to be notified and provided with a copy of the petition as required by Section 14.2(c) of the Act.

(Source : Amended at 14 Ill. Reg. 9442, effective 6/5/90)

POLLUTION CONTROL BOARD

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enforceability of any provisions of this rule, other Board regulations, or the Environmental Protection Act." This language was deleted at Second Notice because the Board believed it to be unnecessary to include this valid proposition in the actual text of the rule.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?

No such changes have been suggested.

13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? no.

Section Numbers: Proposed Action: Ill. Reg. Citation:

15) Summary and Purpose of Rule(s):

To grant the City of Havana site-specific relief from the Board's regulations governing combined sewer systems.

16) Information and questions regarding this adopted rule shall be directed to:

Karen S. Rosenwinkel
100 W. Randolph Street
State of Illinois Center
Suite 11-500
Chicago, IL 60601
(312) 814-3665

The full text of the adopted rule(s) begins on the following page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Performance Criteria

2) The Code Citation: 35 Ill. Adm. Code 306

3) Section Number: Adopted Action:
306.503 New

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111, pars. 1010 and 1027

5) Effective Date of Rule(s) (Amendments, Repealer): June 4, 1990

6) Does this rulemaking contain an automatic repeal date? No.

If so, please specify date: _____

7) Does this rule (amendment, repealer) contain incorporations by reference? No.

If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking?

8) Date Filed in Agency's Principal Office: May 10, 1990

9) Notice(s) of Proposal Published in Illinois Register: 13 Ill. Reg. 13173, August 18, 1989.

10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? If answer is "yes," please complete the following:
No.

A) Statement of Objection: _____, Ill. Reg. _____

B) Agency Response: _____, Ill. Reg. _____

C) Date Agency Response Submitted for Approval to JCAR:

11) Difference(s) between proposal and final version:

At First Notice, the proposed rule contained language stating that this "site-specific rule does not preclude the Agency from exercising its authority to require as a permit condition a CSO monitoring program sufficient to assess compliance with this rule and any other Board regulations and other controls, if needed, for compliance, including compliance with water quality standards. Further, this site-specific rule is not to be construed as affecting the

POLLUTION CONTROL BOARD

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARDPART 306
PERFORMANCE CRITERIA
SUBPART A: SYSTEMS RELIABILITY

Section
306.101 Preamble
306.102 Systems Reliability
306.103 Combined Sewers and Treatment Plant Bypasses
(Renumbered)
306.104 Intake Structures (Renumbered)
306.105 New Connections (Renumbered)

SUBPART B: INTAKE STRUCTURES

Section
306.201 Intake Structures

SUBPART C: COMBINED SEWERS AND TREATMENT
PLANT BYPASSES

Section
306.302 Expansion of Combined Sewers
306.303 Excess Infiltration
306.304 Overflows
306.305 Treatment of Overflows and Bypasses
306.306 Compliance Dates

SUBPART D: EXCEPTION PROCEDURE

Section
306.350 Preamble
306.351 Notification and Submittals by Discharger
306.352 Notification by Agency
306.360 Joint or Single Petition for Exception
306.361 Justification of Joint Petition
306.362 Justification of Single Petition
306.363 Contents of Joint Petition
306.364 Contents of Single Petition
306.370 Notice and Hearing
306.371 Opinion and Order
306.372 Transcripts
306.373 Final Date for Petitions

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

306.374 Other Proceedings

SUBPART E: NEW CONNECTIONS

Section
306.401 Publication of Lists
306.402 Restricted Status
306.403 Critical Review
306.404 Notification of Individuals Requesting Connections
306.405 Notification of Restricted Status or Critical Review
306.406 Appeal
306.407 Effective Dates

SUBPART F: SITE SPECIFIC RULES AND EXCEPTIONS

Section
306.501 East St. Louis-Sauget Site-Specific Discharges
306.502 Alton Combined Sewer Overflow Discharges
306.407 Performance Criteria

APPENDIX A References to Previous Rules

AUTHORITY: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act. (Ill. Rev. Stat. 1987, ch. 111 § , pars. 1027 and 1013).

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; codified at 6 Ill. Reg. 7818; amended at 7 Ill. Reg. 5682, effective April 19, 1983; amended at 8 Ill. Reg. 1607, effective January 18, 1984; amended at 8 Ill. Reg. 3691, effective March 14, 1984; amended in R82-7 at 12 Ill. Reg. 11229, effective June 15, 1988; amended in R88-25 at 14 Ill. Reg. 9449, effective June 4, 1990.

SUBPART F: SITE-SPECIFIC RULES AND EXCEPTIONS

Section 306.503 Havana Site-Specific Discharges

The two discharges from the combined sewer system of the City of Havana, as described below, shall not be subject to the treatment requirements of Section 306.305(a) nor the compliance date of Section 306.306(c). The Washington Street discharge is located at the foot of Washington Street in the Northwest Quarter. Section 1, Township 21 North, Range 9 West of the Third Principal Meridian and can further be defined as being located at West 90°.

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4 minutes 0 seconds longitude and North 40°, 17 minutes 55 seconds latitude. The Illinois Street discharge is located at the foot of Illinois Street in the Southwest Quarter, Section 1, Township 21 North, Range West of the Third Principal Meridian and can further be defined as being located at North 40°, 17 minutes 35 seconds latitude and West 90°, 4 minutes 5 seconds longitude.

(Source: Added at 14, Ill. Reg. 9449, effective 6/4/90)

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Underground Storage Tanks
- 2) Code Citation: 35 Ill. Adm. Code 731
- 3) Section Numbers:
731.200
New Section
- 4) Statutory Authority: Implementing and authorized by Ill. Rev. Stat. 1988 Supp., ch. 111 1/2, pars. 1022.4, 1022.13 and 1027, as amended by P.A. 86-125 and P.A. 86-0958 (Sections 22.4(d) and 27 of the Environmental Protection Act; and 22.13(d) of the Environmental Protection Act, as amended by P.A. 86-125 and P.A. 86-0958).
- 5) Effective Date of Rule: June 4, 1990
- 6) Does this rulemaking contain an automatic repeal date?: No.
- 7) Does this Rule contain incorporations by reference? No.
- 8) Date filed in Board's Principal Office: Order adopted April 26, 1990.
- 9) Notice of Proposal Published in Illinois Register:
February 23, 1990; 14 Ill. Reg. 2791
- 10) Has JCAR issued a Statement of Objections to these rules? No.
Section 22.4(d) of the Environmental Protection Act (Ill. Rev. Stat. 1988 Supp., ch. 111 1/2, par. 1022.4(d)) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.
- 11) Differences between proposal and final version:
Subsections (d), (e), and (h) of the proposal were dropped.
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?
Section 22.4(d) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.
- 13) Will this Rule replace an emergency Rule currently in effect? No.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

14) Are there any other amendments pending on this Part? Yes, R90-3.

Section Numbers	Proposed Action	Illinois Register Citation
731.192	Amendment	March 23, 1990; 14 Ill. Reg. 4406
731.197	Amendment	March 23, 1990; 14 Ill. Reg. 4406
731.205	Amendment	March 23, 1990; 14 Ill. Reg. 4406

15) Summary and Purpose of Rule:

A complete description is contained in the Board's Opinion of April 26, 1990 in R89-19, which Opinion is available from the address below. Section 22.4(d) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking implements Section 22.13(d) of the Environmental Protection Act, as adopted in P.A. 86-125 and 86-958. It allows the use of the Underground Storage Tank Fund to meet the financial responsibility requirement of 35 Ill. Adm. Code 731.193. That Section requires an owner or operator of a UST to demonstrate financial responsibility for the taking of corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum UST's.

40 CFR 280.101(d) requires the State to issue "a letter or certificate describing the nature of the state's assumption of responsibility". Proposed Section 731.200(b) requires the owner or operator to apply to the Office of the State Fire Marshal for such certificate.

P.A. 86-125 requires the owner or operator to have private insurance for the amount of the deductible under the UST Fund. Section 731.200(e) allows the owner or operator to use any of the mechanisms specified in 35 Ill. Adm. Code 731.Subpart G to meet this requirement. These mechanisms include self-insurance under 35 Ill. Adm. Code 731.195

16) Information and questions regarding this adopted Rule shall be directed to:

Morton F. Dorothy
Scientific/Technical Section
Illinois Pollution Control Board
104 W. University
Urbana, IL 61801
217/ 333-5575

The full text of the Adopted Rule begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER d: UNDERGROUND INJECTION CONTROL
AND UNDERGROUND STORAGE TANK PROGRAMS

PART 731
UNDERGROUND STORAGE TANKS

SUBPART A: PROGRAM SCOPE AND INTERIM PROHIBITION

Section
731.101
731.102
731.103
731.110
731.111
731.112
731.113
731.114

Definitions and exemptions (Repealed)
Interim prohibitions (Repealed)
Notification Requirements (Repealed)
Applicability
Interim Prohibition for Deferred Systems
Definitions
Incorporations by Reference
Implementing Agency

SUBPART B: UST SYSTEMS: DESIGN, CONSTRUCTION, INSTALLATION AND NOTIFICATION

Section
731.120
731.121
731.122

Performance Standards for New Systems
Upgrading of Existing Systems
Notification Requirements

SUBPART C: GENERAL OPERATING REQUIREMENTS

Section
731.130
731.131
731.132
731.133
731.134

Spill and Overfill Control
Operation and Maintenance of Corrosion Protection
Compatibility
Repairs Allowed
Reporting and Recordkeeping

SUBPART D: RELEASE DETECTION

Section
731.140
731.141
731.142
731.143
731.144
731.145

General Requirements for all Systems
Petroleum Systems
Hazardous Substance Systems
Tanks
Piping
Recordkeeping

SUBPART E: RELEASE REPORTING, INVESTIGATION AND CONFIRMATION

Section
731.150
731.151
731.152
731.153

Reporting of Suspected Releases
Investigation due to Off-site Impacts
Release Investigation and Confirmation
Reporting and Cleanup of Spills and Overfills

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- f) IF THE AGENCY REFUSES TO REIMBURSE OR AUTHORIZES ONLY A PARTIAL REIMBURSEMENT, THE AFFECTED OWNER OR OPERATOR MAY PETITION THE BOARD FOR A HEARING pursuant to 35 Ill. Adm. Code 105. (Section 22.18b(g) of the Act).

(Source: Added at 14 Ill. Reg. 9454, effective June 4, 1990)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Water Use Designations and Site Specific Water Quality Standards
- 2) Code Citation: 35 Ill. Adm. Code 303
- 3) Section Numbers: Adopted Action:
303.430 New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1013 and 1027.
- 5) Effective Date of Rule: May 31, 1990
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this Rule contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: May 24, 1990
- 9) Notice of Proposal Published in Illinois Register:
13 Ill. Reg. 17661 (November 17, 1989)
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
The reference to Section 302.207 was corrected to 302.208. The proposed standard of "4.0 mg/l as a monthly average and 5.6 mg/l as a daily maximum" was changed to "5.6 mg/l not to be exceeded at any time."
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this Rule replace an emergency Rule currently in effect? No.
- 14) Are there any other amendments pending on this Part? No.
- 15) Summary and Purpose of Rule:
The adopted amendments involve changes to the General Use Water Quality Standards for fluoride for the unnamed tributary to Dutch Creek, McHenry County. The amendments pertain to the Modine Manufacturing Company located in Ringwood, McHenry County. Other related amendments were adopted for Part 304 and are contained in a separate notice pertaining to that part.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

PART 303
WATER USE DESIGNATIONS AND SITE SPECIFIC
WATER QUALITY STANDARDS

SUBPART A: GENERAL PROVISIONS

Section
303.100
303.101
303.102

Scope and Applicability
Multiple Designations
Rulemaking Required

SUBPART B: NONSPECIFIC WATER USE DESIGNATIONS

Section
303.200
303.201
303.202
303.203
303.204

Scope and Applicability
General Use Waters
Public and Food Processing Water Supplies
Underground Waters
Secondary Contact and Indigenous Aquatic Life
Waters

SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE SPECIFIC
WATER QUALITY STANDARDS

Section
303.300
303.301
303.311
303.312
303.321
303.322
303.323
303.331
303.341
303.351
303.352
303.353

303.361
303.430
303.441
303.442
303.443

Scope and Applicability
Organization
Ohio River Temperature
Waters Receiving Fluorspar Mine Drainage
Wabash River Temperature
Unnamed Tributary of the Vermillion River
Sugar Creek and Its Unnamed Tributary
Mississippi River North Temperature
Mississippi River North Central Temperature
Mississippi River South Central Temperature
Unnamed Tributary of Wood River Creek
Shoenberger Creek; Unnamed Tributary of Cahokia
Canal
Mississippi River South Temperature
Unnamed Tributary to Dutch Creek
Secondary Contact Waters
Waters Not Designated for Public Water Supply
Lake Michigan

A complete description is contained in the Board's Opinion and Order of May 24, 1990, in R87-36, which is available from the Clerk of the Board at: Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph St., Suite 11-500, Chicago, IL 60601.

16) Information and questions regarding this adopted rule shall be directed to:

Michelle Tarallo
Illinois Pollution Control Board
P. O. Box 505
DeKalb, IL 60115
815/753-0947

The full text of the Adopted Rule begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

SUBPART D: THERMAL DISCHARGES

Section
303.500
303.502

Scope and Applicability
Lake Sangchris Thermal Discharges

Appendix A References to Previous Rules
Appendix B Sources of Codified Sections

AUTHORITY: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1013 and 1027).

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 27, p. 221, effective July 5, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 5 Ill. Reg. 11592, effective October 19, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161, effective September 7, 1982; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended in R87-27 at 12 Ill. Reg. 9917, effective May 27, 1988; amended in R87-2 at 13 Ill. Reg. 15649, effective September 22, 1989; amended in R87-36 at 14 Ill. Reg. 9460, effective May 31, 1990.

SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE SPECIFIC WATER QUALITY STANDARDS

Section 303.430 Unnamed Tributary to Dutch Creek

The general use water quality standard for fluoride contained in Section 302.208 shall not apply to the unnamed tributary of Dutch Creek which receives discharges from the manufacturing facility located on Ringwood Drive in Ringwood in McHenry County from the outfall of that facility for a distance of 1200 yards downstream. Instead this water shall comply with a fluoride standard of 5.6 mg/l not to be exceeded at any time.

(Source: Added at 14 Ill. Reg. 9460 , effective 5/31/90)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: DRUG MANUAL

2) Code Citation: 89 Ill. Adm. Code 141

3) Section Numbers: Adopted Action:

141.100 Amendment
141.200 Amendment
141.280 Amendment
141.560 Amendment
141.800 Amendment
141.1000 Amendment
141.1320 Amendment
141.1880 Amendment
141.3440 Amendment
141.3480 Amendment
141.3880 Amendment
141.4360 Amendment
141.4640 Amendment

4) Statutory Authority: Sections 5-5.16 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 5-5.16 and 12-13) and Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1005.02)

5) Effective Date of Adopted Amendments: May 31, 1990

6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

7) Do these Adopted Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: May 31, 1990

9) Notices of Proposal Published in Illinois Register: February 16, 1990 (14 Ill. Reg. 2465)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version: No changes were made to the text of these Amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

13) Will these Adopted Amendments replace Emergency Amendment currently in effect? Yes

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Adopted Amendments: Pursuant to Section 5-5.16 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Par. 5-5.16) and Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1005.02) this rulemaking adds and deletes certain drugs from the Department's Drug Manual.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II, 3rd Floor
100 South Grand Avenue East
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendments begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER 1: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 141
DRUG MANUAL

Section	DRUG MANUAL
141.10	AGENCY NOTES
141.100	ANALGESICS/NARCOTIC ANTAGONISTS: ANTIRHEUMATIC
141.200	ANALGESICS/NARCOTIC ANTAGONISTS: GOUT
141.240	ANALGESICS/NARCOTIC ANTAGONISTS: MIGRAINE
141.280	ANALGESICS/NARCOTIC ANTAGONISTS: NARCOTIC ANTAGONISTS
141.320	ANALGESICS/NARCOTIC ANTAGONISTS: MONOPIATE AGONISTS
141.360	ANALGESICS/NARCOTIC ANTAGONISTS: OPIATE AGONISTS
141.400	ANTI-ALCOHOL
141.440	ANTICONVULSANTS
141.480	ANTIDOTES
141.520	ANTIHYPERTENSIVES
141.560	ANTIMICROBIAL: AMINOGLYCOSIDES
141.600	ANTIMICROBIAL: ANTIFUNGALS
141.640	ANTIMICROBIAL: ANTITUBERCULARS
141.680	ANTIMICROBIAL: CEPHALOSPORINS
141.720	ANTIMICROBIAL: ERYTHROMYCINS
141.760	ANTIMICROBIAL: MISCELLANEOUS
141.800	ANTIMICROBIAL: NITROFURANTOINS
141.840	ANTIMICROBIAL: PENICILLINS
141.880	ANTIMICROBIAL: SULFONAMIDES
141.920	ANTIMICROBIAL: TETRACYCLINES
141.960	ANTIMICROBIAL: VACCINES
141.1000	BLOOD: ANTIANEMIA
141.1040	BLOOD: ANTICOAGULANT
141.1080	BLOOD: HEMOSTATIC
141.1120	BLOOD: MISCELLANEOUS
141.1125	CALCIUM
141.1160	CARDIOVASCULAR: ANTIANGINAL
141.1200	CARDIOVASCULAR: ANTIARRHYTHMIC
141.1240	CARDIOVASCULAR: ANTIHYPERLIPIDEMICS
141.1280	CARDIOVASCULAR: BETA BLOCKERS
141.1320	CARDIOVASCULAR: DIGITALIS GLYCOSIDES
141.1360	CARDIOVASCULAR: HYPOTENSION/SHOCK
141.1400	CARDIOVASCULAR: VASODILATOR (Repealed)
141.1440	CONTRACEPTIVE: NONORAL
141.1480	DIAPER RASH PRODUCTS
141.1500	DIURETICS
141.1520	CARDIOVASCULAR: BETA BLOCKERS
141.1520	CARDIOVASCULAR: DIGITALIS GLYCOSIDES
141.1320	
141.1360	

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section	
141.1400	CARDIOVASCULAR: HYPOTENSION/SHOCK
141.1440	CARDIOVASCULAR: VASODILATOR (Repealed)
141.1480	CONTRACEPTIVE: NONORAL
141.1500	DIAPER RASH PRODUCTS
141.1520	DIURETICS
141.1560	DOPAMINE RECEPTOR AGONISTS
141.1600	ENZYMES
141.1640	EYE/EAR/NOSE/THROAT: ANTIBIOTICS
141.1680	EYE/EAR/NOSE/THROAT: ANTI-INFLAMMATORY
141.1720	EYE/EAR/NOSE/THROAT: ANTIVIRALS
141.1760	EYE/EAR/NOSE/THROAT: ANTIBIOTIC/ANTI-INFLAMMATORY
141.1800	EYE/EAR/NOSE/THROAT: LOCAL ANESTHETICS
141.1840	EYE/EAR/NOSE/THROAT: LUBRICANTS
141.1880	EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
141.1920	EYE/EAR/NOSE/THROAT: MISCELLANEOUS
141.1960	EYE/EAR/NOSE/THROAT: MISCELLANEOUS ANTI-INFECTIVES
141.2000	EYE/EAR/NOSE/THROAT: MYDRIATICS
141.2040	EYE/EAR/NOSE/THROAT: SULFONAMIDES
141.2080	EYE/EAR/NOSE/THROAT: SULFONAMIDE/ANTI-INFLAMMATORY
141.2120	EYE/EAR/NOSE/THROAT: TOPICAL DECONGESTANTS
141.2160	GASTROINTESTINAL: ANTACID/ADSORBENTS
141.2200	GASTROINTESTINAL: ANTIDIARRHEA
141.2240	GASTROINTESTINAL: ANTISPASMODICS
141.2280	GASTROINTESTINAL: DIGESTANTS
141.2320	GASTROINTESTINAL: EMETICS/ANTIEMETICS
141.2360	GASTROINTESTINAL: LAXATIVES
141.2400	GASTROINTESTINAL: MISCELLANEOUS
141.2440	GLUCOSE ELEVATORS
141.2480	HOMEOSTATIC/NUTRITIONAL: ACIDIFIERS
141.2520	HOMEOSTATIC/NUTRITIONAL: ALKALINIZERS
141.2560	HOMEOSTATIC/NUTRITIONAL: AMMONIA DETOXICANTS
141.2600	HOMEOSTATIC/NUTRITIONAL: INSULIN
141.2640	HOMEOSTATIC/NUTRITIONAL: IV FLUIDS
141.2680	HOMEOSTATIC/NUTRITIONAL: ORAL HYPOGLYCEMICS
141.2720	HOMEOSTATIC/NUTRITIONAL: VITAMINS
141.2760	HORMONES/AGENTS AFFECTING MECHANISMS: ADRENAL CORTICAL STEROIDS
141.2800	HORMONES/AGENTS AFFECTING MECHANISMS: ANABOLIC HORMONES
141.2840	HORMONES/AGENTS AFFECTING MECHANISMS: ANDROGENS
141.2880	HORMONES/AGENTS AFFECTING MECHANISMS: ANTIHYROID
141.2920	HORMONES/AGENTS AFFECTING MECHANISMS: ESTROGENS/PROGESTINS
141.2960	HORMONES/AGENTS AFFECTING MECHANISMS: ORAL CONTRACEPTIVES
141.3000	HORMONES/AGENTS AFFECTING MECHANISMS: OXYTOCICS
141.3040	HORMONES/AGENTS AFFECTING MECHANISMS: PARATHYROID

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section	
141.3080	HORMONES/AGENTS AFFECTING MECHANISMS: PITUITARY
141.3120	HORMONES/AGENTS AFFECTING MECHANISMS: THYROID
141.3160	HYDROCHOLERETICS
141.3200	IMMUNOSUPPRESSIVES
141.3240	IRRIGATION SOLUTIONS
141.3280	MEDICAL SUPPLIES
141.3320	MISCELLANEOUS
141.3360	NEUROMUSCULAR DISORDERS: MYASTHENIA GRAVIS
141.3400	ONCOLYTIC/ANTINEOPLASTIC: ALKYLATING
141.3440	ONCOLYTIC/ANTINEOPLASTIC: ANTIBIOTICS
141.3480	ONCOLYTIC/ANTINEOPLASTIC: ANTIMETABOLITES
141.3520	ONCOLYTIC/ANTINEOPLASTIC: HORMONES
141.3560	ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS
141.3600	OSTOMY SUPPLIES
141.3640	PARASITICIDAL: ANTHELMINTICS
141.3680	PARASITICIDAL: ANTIPROTOZOALS
141.3720	POTASSIUM
141.3760	PSYCHOTHERAPEUTIC: ANTIANXIETY
141.3800	PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS
141.3840	PSYCHOTHERAPEUTIC: ANTIMANIC
141.3880	PSYCHOTHERAPEUTIC: ANTIPARKINSON
141.3920	PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC
141.3960	PSYCHOTHERAPEUTIC: MISCELLANEOUS
141.4000	PSYCHOTHERAPEUTIC: SEDATIVE/HYPNOTIC
141.4040	RESPIRATORY/ALLERGIC: ANTIASTHMATIC
141.4080	RESPIRATORY/ALLERGIC: ANTIHISTAMINE
141.4120	RESPIRATORY STIMULANTS
141.4160	SKELETAL MUSCLE RELAXANTS
141.4200	SKIN/MUCOUS MEMBRANE: ANTIBIOTICS
141.4230	SKIN/MUCOUS MEMBRANE: ANTIFUNGAL/ANTI-INFLAMMATORY
141.4240	SKIN/MUCOUS MEMBRANE: ANTI-INFLAMMATORIES
141.4280	SKIN/MUCOUS MEMBRANE: ANTI-PRURITICS/ANESTHETICS
141.4320	SKIN/MUCOUS MEMBRANE: ASTRINGENTS
141.4360	SKIN/MUCOUS MEMBRANE: DERMAL ULCERS
141.4400	SKIN/MUCOUS MEMBRANE: FUNGICIDES
141.4480	SKIN/MUCOUS MEMBRANE: KERATOCYTIC
141.4520	SKIN/MUCOUS MEMBRANE: LOCAL ANTI-INFECTIVES
141.4560	SKIN/MUCOUS MEMBRANE: MISCELLANEOUS
141.4600	SKIN/MUCOUS MEMBRANE: SCABICIDES/PEDICULOCIDES
141.4640	TESTING SUPPLIES
141.4680	UNCLASSIFIED
141.4720	URINARY ANTISPASMODICS
141.4760	VAGINAL: ANTI-INFECTIVES
141.4800	VAGINAL: MISCELLANEOUS

AUTHORITY: Implementing and authorized by Sections 5-5 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, pars. 5-5 and 12-13).

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SOURCE: Emergency amendment at 5 Ill. Reg. 13555, effective December 1, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 9991, effective August 1, 1982; emergency amendment at 6 Ill. Reg. 10042, effective August 1, 1982, for a maximum of 150 days; emergency amendment at 7 Ill. Reg. 1178, effective February 1, 1983, for a maximum of 150 days; amended and codified as 89 Ill. Adm. Code 140.72 at 7 Ill. Reg. 17358, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13779, effective July 24, 1984; recodified from 89 Ill. Adm. Code 140.72 and 89 Ill. Adm. Code 140.73 at 8 Ill. Reg. 16354; amended at 9 Ill. Reg. 3335, effective March 1, 1985; amended at 9 Ill. Reg. 19018, effective December 1, 1985; emergency amendment at 10 Ill. Reg. 8153, effective May 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 17681, effective September 28, 1986; emergency amendment at 10 Ill. Reg. 20828, effective December 1, 1986, for a maximum of 150 days; recodified from 89 Ill. Adm. Code 140.71 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 5235, effective March 12, 1987; emergency amendment at 11 Ill. Reg. 5330, effective March 13, 1987 for a maximum of 150 days; amended at 11 Ill. Reg. 11113, effective June 10, 1987; emergency amendment at 11 Ill. Reg. 11361, effective June 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 16726, effective September 30, 1987; emergency amendment of 11 Ill. Reg. 20236, effective December 1, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 7358, effective April 12, 1988; emergency amendment at 12 Ill. Reg. 10197, effective June 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14219, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 15667, effective September 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 20851, effective December 2, 1988, for a maximum of 150 days; amended at 13 Ill. Reg. 516, effective December 28, 1988; amended at 13 Ill. Reg. 3850, effective March 17, 1989; emergency amendment at 13 Ill. Reg. 8036, effective May 15, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 10700, effective June 15, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15672, effective September 22, 1989; amended at 13 Ill. Reg. 16982, effective October 20, 1989; emergency amendment at 14 Ill. Reg. 2657, effective February 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 3595, effective February 27, 1990; amended at 14 Ill. Reg. 6339, effective April 16, 1990; amended at 14 Ill. Reg. 9464, effective May 31, 1990.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.100 AGENCY NOTES

a) Explanation of drug restrictions

1) Group Care and Basic Health Restricted - The drug is available to all recipient categories except recipients with basic health coverage (i.e., recipients of general assistance, or Aid To The Medically Indigent) and individuals residing in a nursing home.

2) The nursing home must provide the following listed drugs to resident recipients at no charge to the recipient:

ACETAMINOPHEN DROPS 80MG/0.8ML
ACETAMINOPHEN DROPS 120MG/2.5ML
ACETAMINOPHEN ELIXIR/SYRUP 120MG/5ML
ACETAMINOPHEN TAB/CAP 325MG
ACETAMINOPHEN TAB/CAP 500MG
ACETAMINOPHEN TAB/CAP 650MG
ACETAMINOPHEN TABLET CHEWABLE 80MG
ACETAMINOPHEN TABLET CHEWABLE 120MG
ASPIRIN TAB BUFFERED 325MG
ASPIRIN TAB BUFFERED 600MG
ASPIRIN TAB EC 300MG
ASPIRIN TAB EC 600MG
ASPIRIN TAB PEDIATRIC
ASPIRIN TAB 300MG
ASPIRIN TAB 600MG
GLUCOLA LIQUID
MILK OF MAGNESIA LIQUID
MILK OF MAGNESIA TABLET
ZINC OXIDE OINTMENT

b) No restrictions - The drug is available to all recipient categories including nursing home residents and recipients of basic health coverage.

c) 1) Group care restricted - The drug is available to all recipients (including basic health recipients) except recipients residing in nursing homes.

2) The nursing home must provide the following listed items to resident recipients at no charge to the recipient:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.100

AGENCY NOTES (Cont'd)

ACETEST REAGENT TABLETS
 ALBUSTIX STRIPS
 CHEMSTRIP BG STRIPS
 CHEMSTRIP GP
 CHEMSTRIP K PAPERS
 CHEMSTRIP TEST KIT
 CHEMSTRIP UG STRIPS
 CHEMSTRIP UGK STRIPS
 CHEMSTRIP 5
 CLINISTIX STRIP
 CLINITEST (2 DROP)
 CLINITEST ANALYSIS SET
 CLINITEST ANALYSIS SET (2 DROP)
 CLINITEST TABLET
 CLINITEST TABLET FOIL
 COMBISTIX
 DEXTROSTIX REAGENT STRIPS
 DEXTROSTIX REAGENT STRIPS FOIL
 DIASCAN DUAL PAD STRIPS
 DIASTIX STRIPS
 GLUCOSCAN TEST STRIPS
 GLUCOSTIX STRIPS
 HEMA-COMBISTIX
 HEMASTIX STRIPS
 HEMATEST TABLET
 KETO-DIASTIX
 KETO-DIASTIX 5
 KETOSTIX STRIPS
 LABSTIX
 LANCET FOR DIABETIC USE, STERILE
 N-URISTIX
 ONE TOUCH TEST STRIPS
 TES-TAPE
 TRENDSTRIPS
 URISTIX
 VISIDEX II REAGENT STRIPS
 ANY PRODUCT EQUIVALENT TO THOSE ON THE ABOVE
 LIST OR ANY OTHER NONLISTED DIABETIC TESTING
 SUPPLY

- d) Group care limited - The drug is available only to recipients residing in nursing homes.
- e) Basic health restricted - If no sign appears next to the drug, it is available to all categories of

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AGENCY NOTES (Cont'd)

recipients except those receiving only basic health coverage.

- f) The drugs referenced in subsection (a) above are identified in the Drug Manual by a single asterisk immediately before the item number. The drugs referenced in subsection (b) above are identified in the Drug Manual by a double asterisk immediately before the item number. The drugs referenced in subsection (c) above are identified in the Drug Manual by a triple asterisk immediately before the item number. The drugs referenced in subsection (d) above are identified in the Drug Manual by the letter "G" immediately before the item number.

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

SECTION 141.200

ANALGESICS/NARCOTIC ANTAGONISTS:
ANTIRHEUMATIC

Item Number	Drug Name and Strength
** 50002091	DICLOFENAC SODIUM TABLET 25MG
** 50002093	DICLOFENAC SODIUM TABLET 50MG
** 50002095	DICLOFENAC SODIUM TABLET 75MG
** 50006495	DIFLUNISAL TABLET 250MG
** 50006496	DIFLUNISAL TABLET 500MG
** 50001730	FENOPROFEN CAPSULE 200MG
** 50001731	FENOPROFEN CAPSULE 300MG
** 50001732	FENOPROFEN TABLET 600MG
** 50004800	FLURBIPROFEN TABLET 50MG
** 50004802	FLURBIPROFEN TABLET 100MG
** 50002557	IBUPROFEN SUSPENSION 100MG/5ML 120ML
** 50002559	IBUPROFEN SUSPENSION 100MG/5ML 480ML
** 50000590	IBUPROFEN TABLET 300MG
** 50000592	IBUPROFEN TABLET 400MG
** 50000594	IBUPROFEN TABLET 600MG
** 50000597	IBUPROFEN TABLET 800MG
** 50000610	INDOMETHACIN CAPSULE 25MG
** 50000612	INDOMETHACIN CAPSULE 50MG
** 50001733	INDOMETHACIN CAPSULE 75MG SUSTAINED RELEASE
** 50001711	INDOMETHACIN INJECTION 3MG VIAL
** 50000608	INDOMETHACIN SUPPOSITORY 50MG
** 50000617	INDOMETHACIN SUSPENSION 25MG/5ML
** 50004963	KETOPROFEN CAPSULE 25MG

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SECTION 141.200

ANALGESICS/NARCOTIC ANTAGONISTS:
ANTIRHEUMATIC (Cont'd)

** 50004967	KETOPROFEN CAPSULE 50MG
** 50004969	KETOPROFEN CAPSULE 75MG
** 50004971	KETOPROFEN TABLET 75MG
** 50001734	MECLOFENAMATE SODIUM CAPSULE 50MG
** 50001735	MECLOFENAMATE SODIUM CAPSULE 100MG
** 50001736	MEFENAMIC ACID CAPSULE 250MG
** 50005696	METHOTREXATE TABLET 2.5MG DOSEPACK
00067763	MYOCHRYSLINE INJECTION 10MG/ML 1ML AMP
00067764	MYOCHRYSLINE INJECTION 25MG/ML 1ML AMP
00068762	MYOCHRYSLINE INJECTION 50MG/ML 1ML AMP
00067762	MYOCHRYSLINE INJECTION 50MG/ML 10ML VIAL
** 50001740	NAPROXEN SODIUM TABLET 275MG
** 50001747	NAPROXEN SODIUM TABLET 550MG
** 50001737	NAPROXEN TABLET 250MG
** 50001738	NAPROXEN TABLET 375MG
** 50001739	NAPROXEN TABLET 500MG
** 60008050	NONSTEROIDAL ANTI-INFLAMMATORY-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
00315816	PABALATE TABLET 100'S
** 50001741	PIROXICAM CAPSULE 10MG
** 50001742	PIROXICAM CAPSULE 20MG
** 00074879	RIDaura CAPSULE 3MG
** 00850460	SOLGANOL INJECTION IN OIL 50MG/ML 10ML VIAL
** 50001743	SULINDAC TABLET 150MG
** 50001744	ULINDAC TABLET 200MG
** 50001746	TOLMETIN SODIUM CAPSULE 400MG
** 50001745	TOLMETIN SODIUM TABLET 200MG
** 50001748	TOLMETIN SODIUM TABLET 600MG

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

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ANALGESICS/NARCOTIC ANTAGONISTS: MIGRAINE

Item Number	Drug Name and Strength
00430031	BEBERGAL-S
00430032	BEBERGAL-TAB
50003016	ERGOTAMINE TARTRATE INHALATION 2.5ML VIAL
50003010	ERGOTAMINE TARTRATE INJ 0.5MG/ML AMP
50003014	ERGOTAMINE TARTRATE SUBLINGUAL TAB 2MG
50003012	ERGOTAMINE TARTRATE TAB 1.0MG
50003000	ERGOTAMINE TARTRATE/CAFFEINE SUPPOSITORY 2/100MG
50003002	ERGOTAMINE TARTRATE/CAFFEINE TAB/CAP/100MG (Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)
SECTION 141.260	ANTIHYPERTENSIVES
Item Number	Drug Name and Strength
** 00030450	CAPOTEN TABLET 12.5MG
** 00030452	CAPOTEN TABLET 25MG
** 00030562	CAPOTEN TABLET 50MG
** 00030485	CAPOTEN TABLET 100MG
** 00030338	CAPOZIDE TABLET 25/15
** 00030349	CAPOZIDE TABLET 25/25
** 00030384	CAPOZIDE TABLET 50/15
** 00030390	CAPOZIDE TABLET 50/25
** 05970031	CATAPRES-TTS-1 PATCHES
** 05970032	CATAPRES-TTS-2 PATCHES
** 05970033	CATAPRES-TTS-3 PATCHES
** 50000941	CLONIDINE HCL TABLET 0.1MG
** 50000943	CLONIDINE HCL TABLET 0.2MG
** 50000945	CLONIDINE HCL TABLET 0.3MG
** 00030283	CORZIDE TABLET 40MG; 5MG
** 00030284	CORZIDE TABLET 80MG; 5MG
** 00830047	ESIMIL TABLET
** 50001614	GUANETHIDINE MONOSULFATE TABLET 10MG
** 50001616	GUANETHIDINE MONOSULFATE TABLET 25MG
** 50005686	HYDRALAZINE HCL INJECTION 20MG/ML AMP
** 50003074	HYDRALAZINE HCL TABLET 10MG
** 50003076	HYDRALAZINE HCL TABLET 25MG
** 50003078	HYDRALAZINE HCL TABLET 50MG
** 50003080	HYDRALAZINE HCL TABLET 100MG
** 50003066	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 15MG TABLET
** 50003068	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 25MG CAPSULE
** 50003070	HYDRALAZINE HCL 50MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
** 50003072	HYDRALAZINE HCL 100MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
** 50002981	HYDROCHLOROTHIAZIDE 15MG; METHYLDOPA 250MG TABLET
** 50002341	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 100MG TABLET

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SECTION 141.280

ANALGESICS/NARCOTIC ANTAGONISTS:
ANTIRHEUMATIC (Cont'd)

50003002

ERGOTAMINE TARTRATE/CAFFEINE TAB/CAP/100MG

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

SECTION 141.260

ANTIHYPERTENSIVES

Item Number	Drug Name and Strength
** 00030450	CAPOTEN TABLET 12.5MG
** 00030452	CAPOTEN TABLET 25MG
** 00030562	CAPOTEN TABLET 50MG
** 00030485	CAPOTEN TABLET 100MG
** 00030338	CAPOZIDE TABLET 25/15
** 00030349	CAPOZIDE TABLET 25/25
** 00030384	CAPOZIDE TABLET 50/15
** 00030390	CAPOZIDE TABLET 50/25
** 05970031	CATAPRES-TTS-1 PATCHES
** 05970032	CATAPRES-TTS-2 PATCHES
** 05970033	CATAPRES-TTS-3 PATCHES
** 50000941	CLONIDINE HCL TABLET 0.1MG
** 50000943	CLONIDINE HCL TABLET 0.2MG
** 50000945	CLONIDINE HCL TABLET 0.3MG
** 00030283	CORZIDE TABLET 40MG; 5MG
** 00030284	CORZIDE TABLET 80MG; 5MG
** 00830047	ESIMIL TABLET
** 50001614	GUANETHIDINE MONOSULFATE TABLET 10MG
** 50001616	GUANETHIDINE MONOSULFATE TABLET 25MG
** 50005686	HYDRALAZINE HCL INJECTION 20MG/ML AMP
** 50003074	HYDRALAZINE HCL TABLET 10MG
** 50003076	HYDRALAZINE HCL TABLET 25MG
** 50003078	HYDRALAZINE HCL TABLET 50MG
** 50003080	HYDRALAZINE HCL TABLET 100MG
** 50003066	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 15MG TABLET
** 50003068	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 25MG CAPSULE
** 50003070	HYDRALAZINE HCL 50MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
** 50003072	HYDRALAZINE HCL 100MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
** 50002981	HYDROCHLOROTHIAZIDE 15MG; METHYLDOPA 250MG TABLET
** 50002341	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 100MG TABLET

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SECTION 141.560

ANTIHYPERTENSIVES (Cont'd)

ANTIHYPERTENSIVES (Cont'd)

** 50002343	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 200MG TABLET
** 50002345	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 300MG TABLET
** 50002983	HYDROCHLOROTHIAZIDE 25MG; METHYLDOPA 250MG TABLET
** 50002403	HYDROCHLOROTHIAZIDE 25MG; METOPROLOL TARTRATE 50MG TABLET
** 50002405	HYDROCHLOROTHIAZIDE 25MG; METOPROLOL TARTRATE 100MG TABLET
** 50005520	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 40MG TABLET
** 50005522	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 80MG TABLET
** 50003090	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.1MG TABLET
** 50003094	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.125MG TABLET
** 50002985	HYDROCHLOROTHIAZIDE 30MG; METHYLDOPA 500MG TABLET
** 50002987	HYDROCHLOROTHIAZIDE 50MG; METHYLDOPA 500MG TABLET
** 50002407	HYDROCHLOROTHIAZIDE 50MG; METOPROLOL TARTRATE 100MG TABLET
** 50004021	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 80MG LA CAPSULE
** 50004023	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 120MG LA CAPSULE
** 50004025	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 160MG LA CAPSULE
** 50003092	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.1MG TABLET
** 50003096	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.125MG TABLET
** 00180787	HYLOREL TABLET 10MG
** 00180788	HYLOREL TABLET 25MG
** 00743322	HYTRIN TABLET 1MG
** 00743323	HYTRIN TABLET 2MG
** 00743324	HYTRIN TABLET 5MG
** 00743325	HYTRIN TABLET 10MG
** 50001825	LISINAPRIL TABLET 5MG
** 50001827	LISINAPRIL TABLET 10MG
** 50001829	LISINAPRIL TABLET 20MG
** 50001831	LISINAPRIL TABLET 40MG
** 00750082	LOZOL TABLET 2.5MG

** 50000712	METHYLDOPA ORAL SUSPENSION 250MG/5ML
** 50000714	METHYLDOPA TABLET 125MG
** 50000716	METHYLDOPA TABLET 250MG
** 50000718	METHYLDOPA TABLET 500MG
** 50000710	METHYLDOPATE HCL INJECTION 250MG/5ML
** 00694300	MINIZIDE CAPSULE 1.0MG/0.5MG
** 00694320	MINIZIDE CAPSULE 2.0MG/0.5MG
** 00694360	MINIZIDE CAPSULE 5.0MG/0.5MG
** 50002096	MINOXIDIL TABLET 2.5MG
** 50002098	MINOXIDIL TABLET 10MG
** 50002751	PRazosin HCL CAPSULE 1MG
** 50002753	PRazosin HCL CAPSULE 2MG
** 50002755	PRazosin HCL CAPSULE 5MG
** 50005223	RESERPINE TABLET 0.1MG
** 50005231	RESERPINE TABLET 0.25MG
** 00318901	TENEX TABLET 1MG
** 00318903	TENEX TABLET 2MG
** 00380115	TENORETIC 50 TABLET
** 00380117	TENORETIC 100 TABLET
** 00060067	TIMOLIDE TABLET 10/25
** 00060720	VASERETIC TABLET 10/25
** 00063508	VASOTEC INJECTION 1.25MG/ML 2ML VIAL
** 00060014	VASOTEC TABLET 2.5MG
** 00060712	VASOTEC TABLET 5MG
** 00060713	VASOTEC TABLET 10MG
** 00060714	VASOTEC TABLET 20MG
** 00080073	WYTENSIN TABLET 4MG
** 00080074	WYTENSIN TABLET 8MG
** 00080092	WYTENSIN TABLET 16MG

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

SECTION 141.800

ANTIMICROBIAL: MISCELLANEOUS

Item Number	Drug Name and Strength
** 50004923	ACYCLOVIR CAPSULE 200MG
** 50001410	ACYCLOVIR INJECTION 500MG VIAL
** 50000851	AMANTADINE HCL CAPSULE 100MG
** 50000853	AMANTADINE HCL SYRUP 50MG/5ML
** 60008018	ANTIMICROBIAL MISCELLANEOUS-INJECTION-NOT OTHERWISE LISTED-IF REQUIRES RX
** 60008017	ANTIMICROBIAL MISCELLANEOUS-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX

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SECTION 141.800	ANTIMICROBIAL: MISCELLANEOUS (Cont'd)
** 50005151	AZTREONAM INJECTION 500MG/15ML VIAL
** 50005153	AZTREONAM INJECTION 500MG/100ML BOTTLE
** 50005155	AZTREONAM INJECTION 1GM/15ML VIAL
** 50005157	AZTREONAM INJECTION 1GM/100ML BOTTLE
** 50005159	AZTREONAM INJECTION 2GM/15ML VIAL
** 50005161	AZTREONAM INJECTION 2GM/100ML BOTTLE
** 50001411	BACITRACIN INJECTION 10,000 UNITS IM
** 50001412	BACITRACIN INJECTION 50,000 UNITS IM
** 50001128	CHLORAMPHENICOL CAPSULE 250MG
** 50001413	CHLORAMPHENICOL CAPSULE 500MG
** 50001236	CHLORAMPHENICOL PALMITATE ORAL SUSPENSION 150MG/5ML 60ML
** 50000061	CHLORAMPHENICOL SODIUM SUCCINATE INJECTION 1GM VIAL
** 50001414	CINOXACIN CAPSULE 250MG
** 50001415	CINOXACIN CAPSULE 500MG
** 50001793	CIPROFLOXACIN TABLET 250MG
** 50001795	CIPROFLOXACIN TABLET 500MG
** 50001797	CIPROFLOXACIN TABLET 750MG
** 50001416	CLINDAMYCIN HCL CAPSULE 75MG
** 50001417	CLINDAMYCIN HCL CAPSULE 150MG
** 50005804	CLINDAMYCIN HCL CAPSULE 300MG
** 50001418	CLINDAMYCIN PALMITATE GRANULES 75MG/5ML 100ML
** 50001420	CLINDAMYCIN PHOSPHATE INJECTION 300MG/2ML 2ML AMP/VIAL
** 50001421	CLINDAMYCIN PHOSPHATE INJECTION 600MG/4ML 4ML AMP/VIAL
** 50001419	CLINDAMYCIN PHOSPHATE INJECTION 900MG/6ML 6ML AMP/VIAL
** 50001423	COLISTIMETHATE SODIUM INJECTION 150MG VIAL
** 50001424	COLISTIN SULFATE ORAL SUSPENSION 25MG/5ML 60ML
** 50001219	DAPSONE TABLET 25MG
** 50001223	DAPSONE TABLET 100MG
** 50002013	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML;
** 50002015	SULFISOXAZOLE ACETYL 600MG/5ML SUSP 100ML
** 50002017	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML;
** 50002017	SULFISOXAZOLE ACETYL 600MG/5ML SUSP 150ML
** 50002017	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML;
** 50001425	SULFISOXAZOLE ACETYL 600MG/5ML SUSP 200ML
** 50001426	FURAZOLIDONE LIQUID 50MG/15ML
** 50001427	FURAZOLIDONE TABLET 100MG
** 50001427	HYDROXYSTILBAMIDINE ISOETHIONATE INJECTION 225MG/20ML AMP
** 50002331	IMIPENEM 250MG; CILASTATIN SODIUM 250MG INJECTION INFUSION VIAL

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SECTION 141.800	ANTIMICROBIAL: MISCELLANEOUS (Cont'd)
** 50002333	IMIPENEM 250MG; CILASTATIN SODIUM 250MG INJECTION VIAL
** 50002335	IMIPENEM 500MG; CILASTATIN SODIUM 500MG INJECTION INFUSION VIAL
** 50002339	IMIPENEM 500MG; CILASTATIN SODIUM 500MG INJECTION VIAL
** 00280108	LAMPRENE CAPSULE 50MG
** 00280109	LAMPRENE CAPSULE 100MG
** 50001428	LINCOMYCIN CAPSULE 250MG
** 50001429	LINCOMYCIN CAPSULE 500MG
** 50001431	LINCOMYCIN INJECTION 300MG/ML 2ML SYRINGE
** 50001432	LINCOMYCIN INJECTION 300MG/ML 2ML VIAL
** 50001433	LINCOMYCIN INJECTION 300MG/ML 10ML VIAL
** 50001018	METHENAMINE HIPPURATE TABLET 1GM
** 50003780	METHENAMINE MANDELATE GRANULES 0.5GM
** 50003781	METHENAMINE MANDELATE GRANULES 1.0GM
** 50003778	METHENAMINE MANDELATE SUSP 50MG/ML
** 50003779	METHENAMINE MANDELATE SUSP 100MG/ML
** 50003735	METHENAMINE MANDELATE TAB 0.25GM
** 50003743	METHENAMINE MANDELATE TAB 0.50GM
** 50003751	METHENAMINE MANDELATE TAB 1.00GM
** 50001435	METHYLENE BLUE TABLET 65MG
** 50001436	NALIDIXIC ACID ORAL SUSPENSION 250MG/5ML
** 50001437	NALIDIXIC ACID TABLET 250MG
** 50001438	NALIDIXIC ACID TABLET 500MG
** 50001439	NALIDIXIC ACID TABLET 1GM
** 50005526	NEOMYCIN SULFATE EQ 40MG BASE/ML;
** 50005528	POLYMYXIN B SULFATE 200,000U/ML 1ML
** 50005528	NEOMYCIN SULFATE EQ 40MG BASE/ML;
** 50005528	POLYMYXIN B SULFATE 200,000U/ML 20ML
** 50005523	NORFLOXACIN TABLET 400MG
** 50001570	NOVOBIOICIN CAPSULE 250MG
** 50004951	PENTAMIDINE ISETHIONATE INJECTION 300MG/VIAL
** 50004028	PHENAZOPYRIDINE HCL TABLET 100MG
** 50004030	PHENAZOPYRIDINE HCL TABLET 200MG
** 50001571	POLYMYXIN B SULFATE INJECTION 500,000 UNITS/VIAL
** 50001572	SPECTINOMYCIN INJECTION 2GM VIAL
** 50001573	SPECTINOMYCIN INJECTION 4GM VIAL
** 50001218	SULFAMETHOXAZOLE 200MG/5ML; TRIMETHOPRIM 40MG/5ML SUSPENSION
** 50001220	SULFAMETHOXAZOLE 400MG; TRIMETHOPRIM 80MG TABLET

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SECTION 141.800

ANTIMICROBIAL: MISCELLANEOUS (Cont'd)

** 50001221	SULFAMETHOXAZOLE 800MG; TRIMETHOPRIM 160MG TABLET
** 50001217	SULFAMETHOXAZOLE 400MG/5ML; TRIMETHOPRIM 80MG/5ML INJECTION 5ML AMP/VIAL
** 50001574	SULFOXONE SODIUM TABLET ENTERIC COATED 165MG
** 50001224	TRIMETHOPRIM TABLET 100MG
** 50001575	TRIMETHOPRIM TABLET 200MG
** 50006866	TROLEANDOMYCIN CAPSULE 250MG
** 50006874	TROLEANDOMYCIN SUSPENSION 125MG/5ML
** 50000901	VANCOMYCIN HCL CAPSULE 125MG
** 50000903	VANCOMYCIN HCL CAPSULE 250MG
** 50001576	VANCOMYCIN HCL INJECTION 500MG
** 50001579	VANCOMYCIN HCL INJECTION 1GM VIAL
** 50002523	VANCOMYCIN HCL ORAL SOLUTION 1GM/20ML
** 50001577	VANCOMYCIN HCL ORAL SOLUTION 10GM/115ML
** 50001578	VIDARABINE INJECTION 200MG/5ML 10ML VIAL
** 50009000	ZIDOVUDINE CAPSULE 100MG
** 50009001	ZIDOVUDINE SYRUP 50MG/5ML

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

SECTION 141.1000

ANTIMICROBIAL: VACCINES

Item Number	Drug Name and Strength
** 50004672	HEPATITIS B VACCINE 10MCG ANTIGEN/ML 0.5ML VIAL
** 50004670	HEPATITIS B VACCINE 20MCG ANTIGEN/ML 3ML MULTI-DOSE VIAL
** 50001900	HEPATITIS B VACCINE (RECOMBINANT) 5MCG/0.5ML 1 DOSE VIAL
** 50001904	HEPATITIS B VACCINE (RECOMBINANT) 10MCG/ML 1ML VIAL
** 50001902	HEPATITIS B VACCINE (RECOMBINANT) 10MCG/ML 3 DOSE VIAL
** 50001743	HEPATITIS B VACCINE (RECOMBINANT) 40MCG/ML 1ML VIAL
** 50004665	PNEUMOCOCCAL VACCINE - POLYVALENT
** 40004232	TETANUS TOXOID INJECTION ADSORBED 0.5ML

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

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SECTION 141.1320

CARDIOVASCULAR: BETA BLOCKERS

Item Number	Drug Name and Strength
** 00741664	CARTROL TABLET 2.5MG
** 00741665	CARTROL TABLET 5.0MG
** 00030232	CORGARD TABLET 20MG
** 00030207	CORGARD TABLET 40MG
** 00030241	CORGARD TABLET 80MG
** 00030208	CORGARD TABLET-120MG
** 00030246	CORGARD TABLET-160MG
** 40001069	LABETALOL HCL TABLET 100MG
** 50003386	LABETALOL HCL TABLET 200MG
** 50003388	LABETALOL HCL TABLET 300MG
** 00214500	LEVATOL TABLET 20MG
** 00280051	LOPRESSOR TABLET 50MG
** 00280071	LOPRESSOR TABLET 100MG
G 50005440	PROPRANOLOL HCL INJECTION 1MG/1ML AMP
** 50005468	PROPRANOLOL HCL LONG ACTING CAPSULE 60MG
** 50005470	PROPRANOLOL HCL LONG ACTING CAPSULE 80MG
** 50005475	PROPRANOLOL HCL LONG ACTING CAPSULE 120MG
** 50005480	PROPRANOLOL HCL LONG ACTING CAPSULE 160MG
** 50005442	PROPRANOLOL HCL TABLET 10MG
** 50005444	PROPRANOLOL HCL TABLET 20MG
** 50005446	PROPRANOLOL HCL TABLET 40MG
** 50005448	PROPRANOLOL HCL TABLET 60MG
** 50005450	PROPRANOLOL HCL TABLET 80MG
** 50005452	PROPRANOLOL HCL TABLET 90MG
** 00824177	SECTRAL CAPSULE 200MG
** 00824179	SECTRAL CAPSULE 400MG
** 00380105	TENORMIN TABLET 50MG
** 00380101	TENORMIN TABLET 100MG
** 50007401	TIMOLOL MALEATE TABLET 10MG
** 50007402	TIMOLOL MALEATE TABLET 20MG
** 00780111	VISKEN TABLET 5MG
** 00780073	VISKEN TABLET 10MG

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

SECTION 141.1880

EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA

Item Number	Drug Name and Strength
** 01190469	BETAGAN OPHTHALMIC SOLUTION 0.25% 5ML
** 01191469	BETAGAN OPHTHALMIC SOLUTION 0.25% 10ML
** 00230252	BETAGAN OPHTHALMIC SOLUTION 0.5% 5ML

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EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
(Cont'd)

**	00231252	BETAGAN OPHTHALMIC SOLUTION 0.5% 10ML
**	00232252	BETAGAN OPHTHALMIC SOLUTION 0.5% 15ML
**	00651245	BETOPTIC OPHTHALMIC SOLUTION 0.5% 2.5ML
**	00650245	BETOPTIC OPHTHALMIC SOLUTION 0.5% 5ML
**	00650255	BETOPTIC OPHTHALMIC SOLUTION 0.5% 10ML
**	00652245	BETOPTIC OPHTHALMIC SOLUTION 0.5% 15ML
**	50000110	CARBACHOL OPHTHALMIC SOLUTION 0.75% 15ML
**	50000111	CARBACHOL OPHTHALMIC SOLUTION 1.5% 15ML
**	50000112	CARBACHOL OPHTHALMIC SOLUTION 2.25% 15ML
**	50000113	CARBACHOL OPHTHALMIC SOLUTION 3.0% 15ML
**	50000270	ECHOTHIOPHATE IODIDE 1.5MG (0.03%) 5ML
**	50000271	ECHOTHIOPHATE IODIDE 3.0MG (0.06%) 5ML
**	50000272	ECHOTHIOPHATE IODIDE 6.25MG (0.125%) 5ML
**	50000273	ECHOTHIOPHATE IODIDE 12.5MG (0.25%) 5ML
**	50000290	EPINEPHRINE (AS BITARTRATE) OPHTHALMIC SOLUTION 0.5% (AS 1.0% BITARTRATE) 15ML
**	50000292	EPINEPHRINE (AS BITARTRATE) OPHTHALMIC SOLUTION 1.0% (AS 2.0% BITARTRATE) 7.5ML
**	50000294	EPINEPHRINE (AS BITARTRATE) OPHTHALMIC SOLUTION 1.0% (AS 2.0% BITARTRATE) 15ML
**	50000300	EPINEPHRINE (AS BORATE) OPHTHALMIC SOLUTION 0.25% 7.5ML
**	50000302	EPINEPHRINE (AS BORATE) OPHTHALMIC SOLUTION 0.5% 7.5ML
**	50000304	EPINEPHRINE (AS BORATE) OPHTHALMIC SOLUTION 1.0% 7.5ML
**	50000310	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 0.25% 15ML
**	50000314	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 10ML
**	50000316	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 0.5% 15ML
**	50000320	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 1.0% 10ML
**	50000322	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 1.0% 15ML
**	50000326	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 2.0% 10ML
**	50000328	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 2.0% 15ML
**	50003042	GLYCERIN 50% 180ML
**	50003040	GLYCERIN 75% 120ML
**	17314406	OCUSERT PILO-20 PACKAGE OF 8
**	17314408	OCUSERT PILO-40 PACKAGE OF 8
**	00461013	OPHTHALGAN SOLUTION 7.5ML

NOTICE OF ADOPTED AMENDMENTS

EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
(Cont'd)

**	00230090	P V CARPINE OPHT SOLN 0.5% 15ML
**	00230091	P V CARPINE OPHT SOLN 1.0% 15ML
**	00230092	P V CARPINE OPHT SOLN 2.0% 25ML
**	00230093	P V CARPINE OPHT SOLN 3.0% 15ML
**	00230094	P V CARPINE OPHT SOLN 4.0% 15ML
**	00230096	P V CARPINE OPHT SOLN 6.0% 15ML
**	50000850	PILOCARPINE HCL OPHT SOLN 0.25% 10ML
**	50000852	PILOCARPINE HCL OPHT SOLN 0.5% 15ML
**	50000854	PILOCARPINE HCL OPHT SOLN 0.5% 30ML
**	50000856	PILOCARPINE HCL OPHT SOLN 1.0% 15ML
**	50000858	PILOCARPINE HCL OPHT SOLN 1.0% 30ML
**	50000860	PILOCARPINE HCL OPHT SOLN 1.5% 15ML
**	50000862	PILOCARPINE HCL OPHT SOLN 2.0% 15ML
**	50000864	PILOCARPINE HCL OPHT SOLN 2.0% 30ML
**	50000866	PILOCARPINE HCL OPHT SOLN 3.0% 15ML
**	50000868	PILOCARPINE HCL OPHT SOLN 3.0% 30ML
**	50000870	PILOCARPINE HCL OPHT SOLN 4.0% 15ML
**	50000872	PILOCARPINE HCL OPHT SOLN 4.0% 30ML
**	50000874	PILOCARPINE HCL OPHT SOLN 5.0% 15ML
**	50000876	PILOCARPINE HCL OPHT SOLN 6.0% 15ML
**	50000878	PILOCARPINE HCL OPHT SOLN 6.0% 30ML
**	50000880	PILOCARPINE HCL OPHT SOLN 8.0% 15ML
**	50000882	PILOCARPINE HCL OPHT SOLN 10.0% 15ML
**	00230160	PROPINE OPHTHALMIC SOLUTION 0.1% 5ML
**	00230260	PROPINE OPHTHALMIC SOLUTION 0.1% 10ML
**	00230360	PROPINE OPHTHALMIC SOLUTION 0.1% 15ML
**	50007405	TIMOLOL MALEATE OPTH SOLN 0.25% 5ML
**	50007406	TIMOLOL MALEATE OPTH SOLN 0.25% 10ML
**	50007409	TIMOLOL MALEATE OPTH SOLN 0.25% 15ML
**	50007407	TIMOLOL MALEATE OPTH SOLN 0.5% 5ML
**	50007408	TIMOLOL MALEATE OPTH SOLN 0.5% 10ML
**	50007410	TIMOLOL MALEATE OPTH SOLN 0.5% 15ML

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

SECTION 141.3440	ONCOLYTIC/ANTINEOPLASTIC: ANTIBIOTICS
Item Number	Drug Name and Strength
** 38243875	ADRIAMYCIN-INJECTION-10MG-VIAL
** 38244875	ADRIAMYCIN-INJECTION-20MG-VIAL
** 38245875	ADRIAMYCIN-INJECTION-50MG-VIAL
** 00153010	BLENOXANE INJECTION 150 AMP
** 00824155	CERUBIDINE 20MG VIAL

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.3440 ONCOLYTIC/ANTINEOPLASTIC: ANTIBIOTICS
(Cont'd.)

SECTION 141.3480 ONCOLYTIC/ANTINEOPLASTIC: ANTIMETABOLITES
(Cont'd.)

** 00063298 COSMEGEN INJECTION 0.5MG VIAL
** 50001660 DOXORUBICIN HCL LYOPHILIZED INJ 10MG
** 50001662 DOXORUBICIN HCL LYOPHILIZED INJ 20MG
** 50001664 DOXORUBICIN HCL LYOPHILIZED INJ 50MG
** 50001668 DOXORUBICIN HCL LYOPHILIZED INJ 150MG
** 50001670 DOXORUBICIN HCL SOLUTION FOR INJECTION
2MG/ML 5ML VIAL
** 50001672 DOXORUBICIN HCL SOLUTION FOR INJECTION
2MG/ML 10ML VIAL
** 50001674 DOXORUBICIN HCL SOLUTION FOR INJECTION
2MG/ML 25ML VIAL
** 00268161 MITHRACIN INJECTION 2.5MG/VIAL
** 00153001 MUTAMYCIN INJECTION 5MG VIAL
** 00153002 MUTAMYCIN INJECTION-20MG VIAL
** 00059393 NOVANTRONE INJECTION 2MG/ML 10ML VIAL
** 00059493 NOVANTRONE INJECTION 2MG/ML 12.5ML VIAL
** 00059593 NOVANTRONE INJECTION 2MG/ML 15ML VIAL

(Source: Amended at 14 Ill. Reg. 9464, effective May 31,
1990)

SECTION 141.3480 ONCOLYTIC/ANTINEOPLASTIC: ANTIMETABOLITES

Item Number Drug Name and Strength
** 50001391 CYTARABINE LYOPHILIZED INJECTION 100MG
** 50001393 CYTARABINE LYOPHILIZED INJECTION 500MG
** 00090168 CYTOSAR INJECTION 100MG W DILUENT
** 00090216 CYTOSAR INJECTION 500MG W DILUENT
** 50000400 FLUOROURACIL INJECTION 500MG/10ML AMP
** 50006603 FLOXURIDINE INJECTION 500MG/5ML
** 00054554 METHOTREXATE SODIUM AQ INJECTION 2.5MG/ML
2ML VIAL
** 00054556 METHOTREXATE SODIUM AQ INJECTION 25MG/ML 2ML
VIAL
** 50005681 METHOTREXATE SODIUM AQ INJECTION 25MG/ML 4ML
VIAL
** 50005683 METHOTREXATE SODIUM AQ INJECTION 25MG/ML 8ML
VIAL
** 50005685 METROTREXATE SODIUM AQ INJECTION 25MG/ML
10ML VIAL
** 00054654 METHOTREXATE SODIUM POWDER INJECTION-20MG
VIAL

** 50005687 METHOTREXATE SODIUM POWDER INJECTION 50MG
VIAL
** 00055203 METHOTREXATE SODIUM POWDER INJECTION 100MG
VIAL
** 00054561 METHOTREXATE SODIUM TABLET 2.5MG
** 00810807 PURINETHOL TABLET 50MG
** 00810880 THIOGUANINE TABLET 40MG

(Source: Amended at 14 Ill. Reg. 9464, effective May 31,
1990)

SECTION 141.3880 PSYCHOTHERAPEUTIC: ANTIPARKINSON

Item Number Drug Name and Strength
** 50006621 BENZTROPINE MESYLATE INJECTION 1MG/ML 2ML
** 50006623 BENZTROPINE MESYLATE TABLET 0.5 MG
** 50006625 BENZTROPINE MESYLATE TABLET 1.0MG
** 50006627 BENZTROPINE MESYLATE TABLET 2.0MG
** 50003381 LEVODOPA TABLET/CAPSULE 100MG
** 50003382 LEVODOPA TABLET/CAPSULE 250MG
** 50003384 LEVODOPA TABLET/CAPSULE 500MG
** 00024131 PERMAX TABLET 0.05MG
** 00024133 PERMAX TABLET 0.25MG
** 00024135 PERMAX TABLET 1.0MG
** 00060647 SINEMET TABLET 107/100
** 00060650 SINEMET TABLET 25/100
** 00060654 SINEMET TABLET 25/250
** 50006489 TRIHEXYPHENIDYL HCL ELIXIR 2MG/5CC
** 50006485 TRIHEXYPHENIDYL HCL 2MG
** 50006487 TRIHEXYPHENIDYL HCL 5MG
** 50006491 TRIHEXYPHENIDYL HCL - TD 5MG

(Source: Amended at 14 Ill. Reg. 9464, effective May 31,
1990)

SECTION 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS

Item Number Drug Name and Strength
** 50003531 BALSAM PERU; CASTOR OIL; TRYPSIN 72.5MG;
650MG; 0.1MG/0.82ML AEROSOL 60CM

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NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)

**	50003533	BALSAM PERU; CASTOR OIL; TRYPSIN
**	10102060	72.5MG; 650MG; 0.1MG/0.82ML AEROSOL 120GM
**	10102160	CARA-KLENZ SPRAY 180ML
**	10101005	CARA-KLENZ SPRAY 480ML
**	10101030	CARRINGTON DERMAL WOUND GEL 15ML
**	50000160	CARRINGTON DERMAL WOUND GEL 90ML
**	50000161	COLLAGENASE OINTMENT 250U/GM 15GM
**	00160024	COLLAGENASE OINTMENT 250U/GM 30GM
**	00160024	DEBRISAN 60GM
**	00161024	DEBRISAN 120GM
**	00162024	DEBRISAN 4GM PACKETS 7'S
**	00163024	DEBRISAN 4GM PACKETS 14'S
**	12815501	DECUBITEX OINTMENT 15GM
**	12816501	DECUBITEX OINTMENT 60GM
**	12814501	DECUBITEX OINTMENT 120GM
**	12814410	DECUBITEX POWDER 10GM
**	12814420	DECUBITEX POWDER 30GM
**	12814430	DECUBITEX POWDER 1GM 30'S
**	12814440	DECUBITEX POWDER 1GM 100'S
**	00031876	DUODERM STERILE HYDROACTIVE DRESSING 4X4
**	00031888	DUODERM STERILE HYDROACTIVE DRESSING 6X8
**	00031986	DUODERM STERILE HYDROACTIVE DRESSING 8X8
**	00031988	DUODERM STERILE HYDROACTIVE DRESSING 8X12
**	00031877	DUODERM STERILE HYDROACTIVE GRANULES 4GM
**	00711255	ELASE FOR SOLUTION
**	00712221	ELASE OINTMENT 10GM SIZE
**	00711121	ELASE OINTMENT 30GM SIZE
**	00712124	ELASE/CHLOROMYCETIN OINTMENT 10GM SIZE
**	00711124	ELASE/CHLOROMYCETIN OINTMENT 30GM SIZE
G**	02121620	TEGADERM TRANSPARENT DRESSING #1620 FIRST AID STYLE 2-3/8" X 2-3/4"
G**	02121621	TEGADERM TRANSPARENT DRESSING #1621 FIRST AID STYLE 4" X 5-1/2"
G**	02121622	TEGADERM TRANSPARENT DRESSING #1622 FRAME STYLE 1-3/4" X 1-3/4"
G**	02121625	TEGADERM TRANSPARENT DRESSING #1625 FRAME STYLE 2-3/8" X 2-3/4"
G**	02121627	TEGADERM TRANSPARENT DRESSING #1627 FRAME STYLE 4" X 10"
G**	02121628	TEGADERM TRANSPARENT DRESSING #1628 FRAME STYLE 6" X 8"
G**	02121629	TEGADERM TRANSPARENT DRESSING #1629 FRAME STYLE 8" X 12"
G**	02121636	TEGADERM TRANSPARENT DRESSING #1636 FRAME POUCH STYLE 4" X 4-3/4"

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4360

SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd.)

G**	02121638	TEGADERM TRANSPARENT DRESSING #1638 POUCH STYLE 6" X 8"
G**	02121639	TEGADERM TRANSPARENT DRESSING #1639 POUCH STYLE 8" X 12"
G**	02129505	TEGADERM TRANSPARENT DRESSING #9505 FRAME STYLE 2-3/8" X 2-3/4"
G**	02129506	TEGADERM TRANSPARENT DRESSING #9506 FRAME STYLE 4" X 4-3/4"
G**	02120901	TEGASORB FLEXIBLE HYDROACTIVE DRESSING SMALL OVAL STERILE 4" X 4-3/4"
G**	02120902	TEGASORB FLEXIBLE HYDROACTIVE DRESSING SMALL SQUARE STERILE 4" X 4"
G**	02120903	TEGASORB FLEXIBLE HYDROACTIVE DRESSING MEDIUM OVAL STERILE 5" X 6"
G**	02120904	TEGASORB FLEXIBLE HYDROACTIVE DRESSING LARGE OVAL STERILE 6-1/2" X 7-7/8"
G**	02120905	TEGASORB FLEXIBLE HYDROACTIVE DRESSING LARGE SQUARE STERILE 6" X 6"
**	00481500	TRAVASE OINTMENT 14.2GM TUBE

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

SECTION 141.4640

TESTING SUPPLIES

Item Number	Drug Name and Strength
*** 01932381	ACETEST REAGENT TABLETS 100'S
*** 01932383	ACETEST REAGENT TABLETS 250'S
*** 01932870	ALBUSTIX STRIPS 100'S
*** 01932232	BUMINTEST TABLETS 100'S
*** 09245028	CHEMSTRIP 5 100'S
*** 09245010	CHEMSTRIP BG STRIPS 25'S
*** 09245012	CHEMSTRIP BG STRIPS 50'S
*** 09245030	CHEMSTRIP GP 100'S
*** 09245035	CHEMSTRIP K PAPERS 100'S
*** 09245011	CHEMSTRIP TEST KIT
*** 09245040	CHEMSTRIP UG STRIPS 100'S
*** 09245045	CHEMSTRIP UGK STRIPS 100'S
*** 01932844	CLINISTIX STRIP 50'S
*** 01932105	CLINITEST ANALYSIS SET
*** 01932114	CLINITEST ANALYSIS SET (2 DROP)
*** 09132112	CLINITEST (2 DROP) 36'S

TESTING SUPPLIES (Cont'd.)

*** 09132113 CLINITEST (2 DROP) 100'S
*** 01932100 CLINITEST TABLET 36'S
*** 01932121 CLINITEST TABLETS 100'S
*** 01933100 CLINITEST TABLET FOIL 100'S
*** 01932867 COMBISTIX 100'S
*** 01932888 DEXTROSTIX REAGENT STRIPS 25'S
*** 01932886 DEXTROSTIX REAGENT STRIPS 100'S
*** 01932884 DEXTROSTIX REAGENT STRIPS FOIL 10'S
*** 02120505 DIASCAN DUAL PAD STRIPS 50'S
*** 01933802 DIASTIX STRIPS 50'S
*** 01932802 DIASTIX STRIPS 100'S
*** 01931000 DIASTIX-5 STRIPS 100'S
*** 50000513 FLUORESCIN SODIUM OPHT SOLN 2.0% 15CC
*** 05380031 GLUCOSCAN TEST STRIPS 50'S
*** 01932627 GLUCOSCAN TEST STRIPS 100'S
*** 05380073 GLUCOSTIX STRIPS 50'S
*** 01932628 GLUCOSTIX STRIPS 100'S
*** 01932876 HEMA-COMBISTIX 100'S
*** 01932816 HEMASTIX STRIPS 50'S
*** 01932426 HEMATEST TABLET 100'S
*** 50003457 HISTAMINE PHOSPHATE INJECTION 0.275MG/ML
*** 50003458 HISTAMINE PHOSPHATE INJECTION 2.75MG/1ML
*** 50003459 HISTAMINE PHOSPHATE INJECTION 2.75MG/5ML
*** 01933882 KETO-DIASTIX 50'S
*** 01932882 KETO-DIASTIX 100'S
*** 01931010 KETO-DIASTIX 5 100'S
*** 01933880 KETOSTIX STRIPS 50'S
*** 01932880 KETOSTIX STRIPS 100'S
*** 01932810 LABSTIX 100'S
*** 50008000 LANCET FOR DIABETIC USE, STERILE
*** 01932854 N-URISTIX 100'S
*** 0380232 ONE TOUCH TEST STRIPS 50'S
*** 00022344 TES-TAPE 100 TEST PACKAGE
*** 05499300 TENDSTRIPS 50'S
*** 01932855 URISTIX 100'S
*** 01931050 VISIDEX II REAGENT STRIPS 25'S
*** 01931080 VISIDEX II REAGENT STRIPS 100'S

(Source: Amended at 14 Ill. Reg. 9464, effective May 31, 1990)

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: RELATED PROGRAM PROVISIONS
- 2) Code Citation: 89 Ill. Adm. Code 117
- 3) Section Number: Adopted Action:
117.20 Amendment
- 4) Statutory Authority: Sections 9-6, 12-12 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. Ch. 23, Pars. 9-6, 12-12 and 12-13)
- 5) Effective Date of Amendment: June 1, 1990
- 6) Does this Adopted Amendment contain an automatic repeal date? Yes ☐ No ☒
- 7) Does this Adopted Amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 1, 1990
- 9) Notice of Proposal Published in Illinois Register: November 13, 1990 (13 Ill. Reg. 17241)
- 10) Has JCAR issued a Statement of Objections to this Adopted Amendment? No
- 11) Difference between proposal and final version: In Section 117.20(6)(3), at line 4, the colon after "165" was changed to a period.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this Adopted Amendment replace an Emergency Amendment currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Adopted Amendment: This proposed rulemaking provides that a duplicate supportive service payment made to Project Chance, Project Advance and Young Parent Program participants will be recovered after financial assistance is cancelled.

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this Adopted Amendment shall be directed to:

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

Name: Myron Brigman, Staff Attorney
Office of the General Counsel

PART 117
RELATED PROGRAM PROVISIONS

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 S. Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Section
117.1 Incorporation By Reference
117.10 Payee For Financial Assistance
117.20 Replacement of Missing Warrants
117.30 Withholding of Rent (Repealed)
117.40 Recovery of Interim Assistance - Aid to the Aged,
Blind or Disabled and General Assistance
117.50 Funerals and Burials
117.51 Funeral Home Services
117.52 Burial Expenses
117.53 Payment to Vendor(s)
117.54 Claims for Reimbursement
117.55 Submittal of Claims
117.60 Substitute Parental Care/Supplemental Child Care -
AFDC, AABD and GA Family Cases
117.70 Charge for Replacement of Photo ID Cards (Repealed)
117.80 Direct Deposit of Recipients' Warrants

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq. and 12-13).

SOURCE: Filed and effective December 30, 1977; amended at 2 Ill. Reg. 31, p. 68, effective August 3, 1978; amended at 3 Ill. Reg. 38, p. 258, effective September 20, 1979; amended at 3 Ill. Reg. 41, p. 167, effective October 1, 1979; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 16111, effective March 22, 1983; amended at 9 Ill. Reg. 3726, effective March 13, 1985; amended at 9 Ill. Reg. 4526, effective May 29, 1985; amended at 9 Ill. Reg. 8733, effective July 5, 1985; amended at 9 Ill. Reg. 10779, effective October 16, 1985; amended at 11 Ill. Reg. 16914, effective October 16, 1985; amended at 11 Ill. Reg. 4759, effective March 13, 1988; amended at 12 Ill. Reg. 2985, effective January 13, 1988; amended at 12 Ill. Reg. 13608, effective August 15, 1988; amended at 13 Ill. Reg. 3936, effective August 30, 1988; amended at 13 Ill. Reg. 780, effective March 10, 1989; amended at 14 Ill. Reg. 9488, effective January 1, 1990; amended 14 Ill. Reg. 9488, effective June 1, 1990.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

Section 117.20 Replacement of Missing Warrants

a) When a client reports the non-receipt of a warrant, the Department shall replace the warrant, unless the warrant was endorsed by the payee, after the client has signed a request to stop payment and an agreement that recovery may be made. The replacement shall be made only if the request is received within 60 days of the date of mailing of the warrant in question.

b) In the event the missing warrant is actually received and cashed by the client and a replacement warrant has been received and cashed by the client, pursuant to the terms of the recovery agreement, the Department shall recoup or recover the amount of the replacement warrant as follows:

1) For Aid to Families with Dependent Children (AFDC); 1/36 of the amount of the replacement warrant shall be recouped each month until the entire amount is recouped. AFDC recoupment under this Section shall not take place while recoupment under 89 Ill. Adm. Code 165.70 is in process.

2) Aid to the Aged Blind or Disabled (AABD) and General Assistance (GA) as provided in 89 Ill. Adm. Code 165.70.

3) For supportive service payments issued to Project Chance, Project Advance and Young Parents Program participants, the replacement warrant will be recovered under 89 Ill. Adm. Code 165. Subpart D, after financial assistance is cancelled.

c) The determination that the missing warrant was actually received and cashed by the client shall be made by comparing the signature of endorsement appearing on the warrant with a specimen signature of the client.

(Source: Amended at 14 Ill. Reg. 9488, effective 6/1/90.)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

- 1) The Heading of the Part: Certificates of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) Section numbers: 1010.170
Adopted Action: New Section
- 4) Statutory Authority: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 3-100 et seq. and 2-104(b))
- 5) Effective Date of Amendment: June 1, 1990
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 1, 1990
- 9) Notice of Proposal Published in Illinois Register:
14 Ill. Reg. 1853, February 2, 1990
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Differences between proposal and final version:
 1. Added Section 1010.430 to the Table of Contents because it was omitted.
 2. In the SOURCE on line 2 placed comma following June 14, 1978 and again in line 7 following May 14, 1980.
 3. Deleted the word "title" and replace it with the language "certificate pursuant to Section 3-117.2 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1988 Supp., ch. 95 1/2, par. 3-117.2)" in Section 1010.170(a).
 4. Changed the word "should" to "shall" in the last sentence in Section 1010.170(d).
 5. Added the following "1010.430 Registration Plates for Motor Vehicles Used for Transportation of Persons for Compensation and Tow Trucks" in the Table of Contents.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency rule amendment currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

Section Number	Proposed Action	Illinois Register Citation
1010.520	Amendment	14 Ill. Reg. 3022
1010.453	New Section	14 Ill. Reg.
1010.454	New Section	14 Ill. Reg.

- 15) Summary and Purpose of Rules: This rulemaking will establish the criteria for scrap processors to file a junking notification form with the Department in lieu of applying for a junking certificate.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Robert B. Powers
 Assistant Counsel to the Secretary
 298 Centennial Building
 Springfield, Illinois 62706
 217/785-3094

The full text of the Adopted Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION
 CHAPTER II: SECRETARY OF STATE

PART 1010

CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

SUBPART A: DEFINITIONS

Section	Owner--Application of Term Secretary and Department
1010.10	
1010.20	

SUBPART B: TITLES

Section	Salvage Certificate-Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate
1010.120	Salvage Certificate-Assignments and Reassignments
1010.130	Exclusiveness of Lien on Certificate of Title
1010.140	Documents Required to Title and Register Imported Vehicles Not Manufactured in Conformity with Federal Emission or Safety Standards
1010.150	Transferring Certificates of Title Upon the Owner's Death
1010.160	Repossession of Vehicles by Lienholders and Creditors
1010.170	Junking Notification

Salvage Certificate-Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate

Salvage Certificate-Assignments and Reassignments

Exclusiveness of Lien on Certificate of Title

Documents Required to Title and Register Imported Vehicles Not Manufactured in Conformity with Federal Emission or Safety Standards

Transferring Certificates of Title Upon the Owner's Death

Repossession of Vehicles by Lienholders and Creditors

Junking Notification

SUBPART C: REGISTRATION

Section	Application for Registration
1010.210	Vehicles Subject to Registration - Exceptions
1010.220	Refusing Registration or Certificate of Title
1010.230	Registration Plates To Be Furnished By The Secretary of State
1010.240	Applications For Reassignment
1010.250	

SUBPART D: REVOCATION, SUSPENSION AND CANCELLATION OF REGISTRATION

Section	Operation of Vehicle after Cancellation, Suspension, or Revocation of any Registration
1010.300	Improper Use of Evidences of Registration
1010.310	Suspension, Cancellation or Revocation of Illinois Registration Plates and Cards and Titles
1010.320	Operation of Vehicle Without Proper Illinois Registration
1010.330	Suspension or Revocation
1010.350	Surrender of Plates, Decals or Cards
1010.360	

Operation of Vehicle after Cancellation, Suspension, or Revocation of any Registration

Improper Use of Evidences of Registration

Suspension, Cancellation or Revocation of Illinois Registration Plates and Cards and Titles

Operation of Vehicle Without Proper Illinois Registration

Suspension or Revocation

Surrender of Plates, Decals or Cards

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SUBPART E: SPECIAL PERMITS AND PLATES

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1010.420 Temporary Permit Pending Registration In Illinois
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SUBPART H: SECOND DIVISION VEHICLES

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1010.705 Reciprocity
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1010.715 Proration Fees
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1010.740 Trip and Short-term Permits

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1010.745 Signal 30 Permit for Foreign Registered Vehicles (Repealed)
1010.750 Signal 30-Year-round for Prorated Fleets of Leased Vehicles (Repealed)
1010.755 Mileage Tax Plates
1010.756 Suspension or Revocation of Illinois Mileage Weight Tax Plates
1010.760 Transfer for "For-Hire" Loads
1010.765 Suspension or Revocation of Exemptions as to Foreign Registered Vehicles
1010.770 Required Documents for Trucks and Buses to detect "intrastate" movements
1010.775 Certificate of Safety

APPENDIX A Uniform Vehicle Registration Proration and Reciprocity Agreement
APPENDIX B International Registration Plan

AUTHORITY: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95, pars. 3-100 et seq. and 2-104(b)).

SOURCE: Filed and effective December 15, 1970; emergency amendments at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendments at 4 Ill. Reg. 21, p. 99; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990.

Section 1010.170 Junking Notification

a) If a vehicle is sold to a scrap processor, the scrap processor may file a junking notification form with the Department in lieu of

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applying for a junking certificate pursuant to Section 3-117.2 of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1988, ch. 95½, par. 3-117.2).

- b) A junking notification form shall be filled out completely and contain the following information:
- 1) the title number of the vehicle, if applicable;
 - 2) the vehicle identification number;
 - 3) the year model, vehicle make, vehicle model, and body type;
 - 4) the scrap processor's name, address and license number;
 - 5) the agent's signature for scrap processor; and
 - 6) the seller's name and address.
- c) The junking notification form shall be accompanied by original documents identifying proof of ownership. Proof of ownership shall include a properly assigned title, a salvage certificate, or a certificate of purchase completed by police or towing company.
- d) A photocopy of the junking notification form and copies of the proof of ownership documents shall be retained by the scrap processor for at least three (3) years. The original documents shall be mailed to the following address:

Office of the Secretary of State
Title Processing Division
Room 611, Centennial Building
Springfield, Illinois 62756

(Source: Added at 14 Ill. Reg. 9492, effective June 1, 1990)

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- 1) Heading of Part: Issuance of Licenses

- 2) Code Citation: 92 Ill. Adm. Code 1030

- 3) Section Numbers Adopted Action

1030.50
1030.60

Amendment
Amendment

- 4) Statutory Authority: Sections 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 2-104(b)) and Sections 6-100 et seq. of the Illinois Vehicle Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 6-100 et seq.)

- 5) Effective Date of Amendments: May 17, 1990

- 6) Does this rulemaking contain an automatic repeal date? Yes ☒ No.

- 7) Does this amendment contain incorporations by reference? No.

- 8) Date Filed in Agency's Principal Office: May 17, 1990

- 9) Notice of Proposal Published in Illinois Register: 14 Ill. Reg. 2540 (February 16, 1990).

- 10) Has JCAR Issued a Statement of Objections to this Rule? No.

- 11) Differences between proposal and final version.

Pursuant to suggestions from the Administrative Code Division, Office of the Secretary of State, the following changes were made:

Pursuant to discussions and agreements with the Joint Committee on Administrative Rules of the Secretary of State's Office, the following changes were made:

At Section 1030.50(h), line 8, the words "licensing authority of" was added immediately before "his/her state of residence."

At Section 1030.60(c)(1), line 5, the words "pursuant to the requirements contained in subsections (d) and (i)" were added after "Secretary of State."

At Section 1030.60(c)(2), line 7, the words "as provided in subsection (f)(4)" were added after the words "timely manner."

At Section 1030.60(d)(4), at the end of the paragraph, the citation was added: "(92 Ill. Adm. Code 1030.85.)"

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At Section 1030.60(d)(6), line 2, following "documented proof", the words "(Secretary of State's driver test form)" were added.

At Section 1030.60(d)(10)(A)(ii), the text was changed to read: "appropriate space (an area at least 15 feet wide by 100 feet long) to conduct all basic control skills tests. (92 Ill. Adm. Code 1030.85)."

At Section 1030.60(d)(10)(B), at the end of the paragraph, the words "(subsections (d)(10)(A) and (d)(10)(D))" were added.

At Section 1030.60(d)(10)(D), at the end of the sentence, the words "per state and local laws" were deleted and replaced with "contained in Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 3501-3718."

At Section 1030.60(d)(12)(A), "Federal Highway Administration" was spelled out; after the word "representatives" the words "and other official entities" were deleted; at the end of the sentence the words "to 49 CFR 385.75" were added.

At Section 1030.60(f)(2), at the end of the paragraph, the word "Section" was changed to "subsection."

At Section 1030.60(g)(1)(F)(i), was changed to read: "fails to comply with public health and safety standards contained in Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 3501-3718."

At Section 1030.60(g)(2)(F)(i), was changed to read: "fails to comply with public health and safety standards contained in Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 3501-3718."

At Section 1030.60(g)(3)(A), the word "Section" was changed to "subsection."

At Section 1030.60(g)(3)(C), the word "paragraphs" was deleted and replaced with "subsections."

At Section 1030.60(h)(2), the letter "(i)" was enclosed in parentheses.

At Section 1030.60(i)(1)(B), line 3 following "motor vehicles", the words "(i.e., not ineligible for licensing under Section 6-103 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-103) and 92 Ill. Adm. Code 1030.10)" were added; the same addition was made at Section 1030.60(i)(3)(I).

At Section 1030.60(i)(2)(I), line 3, following "test", the words "(i.e., not ineligible for licensing under Section 6-103 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-103) and 92 Ill. Adm. Code 1030.10)" were added; the same addition was made at Section 1030.60(i)(3)(I).

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12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the Agreement Letter issued by JCAR? Yes.

13) Will this rule replace any Emergency Rule(s) currently in effect? No.

14) Are there any other amendments pending on this Part?

Section Numbers	Proposed Action	Illinois Register Citation
1030.16	New Section	14 Ill. Reg. 7130 (May 11, 1990)
1030.30	Amendment	14 Ill. Reg. 179 (January 5, 1990)
1030.55	Amendment	14 Ill. Reg. 2289 (February 9, 1990)
1030.80	Amendment	14 Ill. Reg. 579 (January 12, 1990)
1030.81	New Section	14 Ill. Reg. 5060 (April 6, 1990)
1030.84	Amendment	14 Ill. Reg. 2852 (February 23, 1990)
1030.85	Amendment	14 Ill. Reg. 2289 (February 9, 1990)
1030.92	Amendment	14 Ill. Reg. 2852 (February 23, 1990)
1030.94	Amendment	14 Ill. Reg. 1902 (February 2, 1990)
Appendix A	Amendment	14 Ill. Reg. 2289 (February 9, 1990)

15) Summary and Purpose of Rule: These proposed rulemaking: 1) defines the requirements for obtaining an Illinois driver's license to operate a religious organization bus and senior citizen transportation vehicle; and 2) contains the requirements of an entity to be licensed to administer driving skills tests (CDL, non-CDL or motorcycle) to its employees on behalf of the Secretary of State. Safety officer requirements are also provided. The rule also describes the required skills tests and the circumstances under which the license of an entity or safety officer shall be suspended, revoked, cancelled or denied. A hearing provision is included.

16) Information and answers to questions regarding this Adopted Rule should be directed to:

Nancy S. Short
Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
Tel: 217/782-5356

The full text of the Adopted Rule begins on the next page.

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SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990.

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1030
ISSUANCE OF LICENSES

PART 1030
ISSUANCE OF LICENSES

Section 1030.10 What Persons Shall Not be Licensed or Granted Permits
1030.11 Procedure for Obtaining a Driver's License
1030.15 Cite for Re-examination
1030.20 Classification of Drivers-References
1030.30 Classification Standards
1030.40 Fifth Wheel Equipped Trucks
1030.50 Bus Driver's Authority, Religious Organization and Senior Citizen Transportation
1030.55 Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60 ~~Employer Third-Party Certification Program~~
1030.63 Religious Exemption for Social Security Numbers
1030.65 Instruction Permits
1030.70 Driver's License Testing/Vision Screening
1030.75 Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lens(es)
1030.80 Driver's License Testing/Written Test
1030.84 Vehicle Inspection
1030.85 Driver's License Testing/Road Test
1030.86 Multiple Attempts/Road Test
1030.88 Exemption of Facility Administered Road Test
1030.89 Temporary Licenses
1030.90 Requirement For Photograph and Signature of Licensee On Driver's License
1030.91 Disabled Person/Handicapped Identification Card
1030.92 Restrictions
1030.93 Restricted Local Licenses
1030.94 Duplicate or Corrected Driver's License or Instruction Permit
1030.95 Consular Licenses
1030.100 Anatomical Gift Donor
1030.110 Emergency Medical Information Card
1030.115 Change-of-Address
1030.120 Issuance of a Probationary License
1030.130 Grounds for Cancellation of a Probationary License
Appendix A Questions Asked of a Driver's License Applicant
Appendix B Acceptable Identification Documents

Section 1030.50 Bus Driver's Authority, Religious Organization and Senior Citizen Transportation

Section 1030.50 Bus Driver's Authority, Religious Organization and Senior Citizen Transportation

a) For purposes of this Section, the following definitions shall apply:

a) For purposes of this Section, the following definitions shall apply:

"Abstract" - official driver's record.
"Applicant" - person applying for religious organization bus driver ~~restriction~~ restriction on his/her driver's license.
"Gross Combination Weight Rating (GCWR)" - the GVWR of the power unit plus the GVWR of the towed unit(s) or the combined registered weight of the power unit plus the towed unit, whichever is greater.
"Gross Vehicle Weight Rating (GVWR)" - the value specified by the manufacturer(s) as the maximum loaded weight of a single vehicle, or the registered gross weight, whichever is greater.
"P. Endorsement" - an indication on the driver's license that the driver has qualified to operate a vehicle designed to transport 16 or more persons, including the driver.
"Reckless Driving" - driving in a ~~unsafe~~ unsafe manner without regard for the safety of oneself or others, or without regard for the safety of persons or property as defined in Section 11-503(a) of the Illinois Rules of the Road of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 11-503(a).)

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-100 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)).

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license held in his/her state of residence. The person shall provide a letter of abatement from his state of residence indicating that the requirements of Section 6-106.2 of the Illinois Driver Licensing Law (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-106.2) have been met. The person's driver's license shall have a type 6 restriction and will be coded as IV on the driver's license, which means the driver holds a valid out-of-state license and is restricted to only operating a religious organization bus with his/her Illinois driver's license.

g) A non-Illinois resident who holds a valid restricted Illinois driver's license authorizing him/her to operate a religious organization bus or senior citizen transportation vehicle and who holds a valid driver's license issued by his/her state of residence shall surrender the Illinois driver's license to the Department for cancellation.

h) If a person resides in a state other than Illinois and wishes to operate a religious organization bus and/or senior citizen transportation bus in Illinois, he/she must hold a valid and properly classified license in his/her state of residence and a Religious Organization Bus and/or Senior Citizen Transportation Bus Certificate (Certificate) issued by the Illinois Secretary of State. To obtain the Certificate, the person shall provide a letter or abstract from the licensing authority of his/her state of residence indicating the requirements of Section 6-106.2 and/or 6-106.3 of the Illinois Driver Licensing Law of the Illinois Vehicle Code have been met. (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-106.2 and 6-106.3.) Both the Certificate and the valid and properly classified out-of-state license must be carried when the person is operating a religious organization bus and/or senior citizen transportation bus in Illinois.

i) Applicants who hold a valid school bus permit in Illinois are permitted to operate a religious organization bus or senior citizen transportation vehicle, within classification as set forth in Section 1030.30(A B)(1) through (3) 4), without having additional additional restrictions added to their license. If the applicant desires to have the "TJ" restriction restriction added to his/her license, the road test will shall be waived, but the applicant shall pay a fee for corrected licenses or permits in accordance with Section 6-118(a) of the Illinois Driver Licensing Law of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-118(a).)

(Source: Amended at 14 Ill. Reg. 9498, effective 5/17/90)

Section 1030.60 Employee Third-Party Certification Program

j) The Secretary of State may waive the requirements of an actual demonstration of the applicant's ability to operate a vehicle and reasonable control of the operation of a motor vehicle if the entity employing the applicant meets the following qualifications:

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b) To qualify as a certifying employer, the entity requesting waiver and certification must file an application with the Secretary of State in his Springfield Office on forms prescribed by the Secretary of State. Each employer must comply with the following requirements:

1) The employer must have a regular established place of business in the State of Illinois and operate a fleet of vehicles;

2) Exceptions to 1)(A) above are employees having a regular place of business in states that border Illinois, which are Indiana, Missouri, Wisconsin, Iowa, and Kentucky. If any entity with its headquarters in the said states wishes to participate in the Employer Certification Program, it must have an appointed agent for purposes of this program residing within the State of Illinois;

3) Any applicant certified must be employed and on the payroll of the certifying entity at the time of certification;

4) The employer must maintain accurate driver performance records and must be able to furnish these records to the Secretary of State upon request;

5) The title of safety officer, inspector, training officer, special equipment officer, or any other title used by an entity to designate an individual or individuals who supervise or operate the classroom instruction and road testing for employees of the entity requesting certification are for the purposes of this section synonymous;

6) The individual conducting the classroom instruction and the road testing, regardless of his title as defined in paragraph (b)(1), must first submit to the Director of the Driver Services Department of the Secretary of State's Office a detailed resume of his qualifications to act in said capacity. Address of the Director is as follows:

Director
Driver Services Department
2701 South Dickens Parkway
Springfield, Illinois 62723

7) If from the information submitted as required in paragraph (b)(3), the Director of the Driver Services Department deems it necessary and proper, he may request a personal interview with the individual submitting the required resume, either in Springfield or Chicago;

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- 7) The employer must have a vehicle operational training program which meets the Secretary of State's criteria. Such program must consist of a classroom, a classroom manual, manual of operation which may include audiovisual, multimedia visual aids, film, film strips, and slides, and a prescribed physical driving course, which upon inspection, is approved by the Secretary of State.
- 8) A classroom manual of operation must include at least the following:
- A) Introduction
 - B) Operating Practices
 - C) Parking and Maneuvering
 - D) Night Driving
 - E) Winter Driving
 - F) Equipment Maintenance
 - G) Tire Traction
 - H) Defensive Driving
 - I) Driver Attitude
 - J) Physical Coordination
 - K) Rules of the Road
- 9) Classroom facilities must be able to comfortably accommodate the employees/students of the Employer Certification Program proposed by the employer. This will be determined by an inspection of said facilities by the Secretary of State's Office, Driver Services Department.
- 10) A periodic inspection shall be made by the Secretary of State's representative of the employer's curriculum and physical facilities utilized in the Employer Certification Program.
- 11) The Secretary of State may, from time to time, request reports on any certified employee pertaining to the employee's driving performance, and may require a full examination of a certified driver at a Secretary of State Driver Services Facility to determine the value of the Employer Certification Program.

- 12) Before a driver's license is issued under the Employer Certification Program, the applicant must first pass the vision, road sign, and traffic law examination given at one of the Secretary of State Driver Services Facilities.
- 13) The safety officer, as defined in paragraph (b)(4) of this section must certify that the applicant for a driver's license has satisfactorily completed the entity's prescribed course in classroom instruction and behind-the-wheel training to qualify said applicant for a Class C, D or M license.
- A) No employer shall certify any employee whose current driver's license is being held by any court of competent jurisdiction for a violation of alleged violation of motor vehicle laws.
- B) No employer shall certify any employee who has had his driver's license suspended or revoked without first obtaining the written approval of the Director of the Driver Services Department.
- C) No employer shall certify any employee who has, within one year previous to certification, failed the driving test for a Class C, D and M license at a Secretary of State Driver Services Facility.
- D) At the request of the certifying employer, the Driver Services Department will assist the employer in determining the facts concerning (A), (B), and (C) above.
- 14) All certified employees shall comply with the Illinois Human Rights Act (Ill. Rev. Stat. 1987, Ch. 68, para. 1-101 et seq.)
- 15) An employer refused certification privileges may request a hearing under the provisions of Sec. 2-118 of the Illinois Vehicle Code.
- C) The Director of the Driver Services Department may appoint an agent to act in his behalf for the purpose of administering this rule.
- a) The Secretary of State shall adopt the following definitions for the terms listed as follows:

"Branch Facility" - a separate instructional facility operated and directly supervised by a third-party certifying entity at a location different from the principal location of the third-party certifying entity.

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"CDL Skills Test" - tests given to an applicant who is attempting to obtain a Commercial Driver's License (CDL).

"Commercial Driver's License (CDL)" - a driver's license issued by a State to a person, which authorizes that person to drive a certain class of commercial motor vehicle or vehicles. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-500(3).)

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Driver Applicant" - an individual employed by or otherwise associated, by employment or by membership, with a third-party certifying entity, who participates in the third-party certification program.

"Motor Vehicle" - any properly registered vehicle meeting the description of the vehicle group of the class the driver applicant operates, or expects to operate.

"Non-CDL Skills Test" - any drive test given to an applicant who is attempting to obtain a driver's license except for a D classification, a CDL or a CDL endorsement.

"Passenger Endorsement" - an indication on the driver's license that the driver has qualified to operate a vehicle designed to transport 16 or more persons, including the driver.

"Restriction" - requirement or condition added to a driver's license which must first be met by the license holder before he/she may legally operate a motor vehicle.

"Safety Officer" - any individual employed by a third-party certifying entity who is licensed to conduct the skills test and to determine for certification purposes that a driver applicant has been tested and meets the same qualifications required by the Secretary of State.

"Secretary of State" - Illinois Secretary of State.

"Third-Party Certification License" - a license issued by the Secretary of State to conduct a qualified third-party certification program, pursuant to Section 6-508 of the Illinois Driver Licensing Law of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-508.)

"Third-Party Certification Program" - a program designed by the Secretary of State allowing third-party entities to provide to employees and members a qualified training program of behind the wheel and/or classroom testing for the purpose of certifying to

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the Secretary of State that a driver applicant is qualified to operate a vehicle without the Secretary of State having to administer a road test pursuant to Section 6-508 of the Illinois Driver Licensing Law of the Illinois Vehicle Code. (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-508.)

"Third-Party Certifying Entity" - any third-party entity licensed by the Secretary of State to engage in a third-party certification program.

b) The Secretary of State shall not require an actual demonstration of the ability of the driver applicant to operate and exercise ordinary and reasonable control of a motor vehicle for purposes of third-party certification programs, if the third-party certifying entity complies with the following requirements:

1) License Required. - No person, firm, association, partnership or corporation shall operate a third-party certification program, unless a license has been issued by the Secretary of State.

2) Certify Only Employees or Members. - A third-party certifying entity shall certify only those driver applicants who are employed and on the payroll of the entity, or are members at the time of certification.

3) Require Instruction Permit. - Before a driver applicant may be certified by a third-party certifying entity, the driver applicant must first obtain an Instruction Permit from the Secretary of State for the specific vehicle classification in which they intend to be licensed, if not previously licensed in a classification representative of the vehicle the applicant intends to drive.

c) Issuance and Renewal of Licenses

1) When an application is submitted for an original third-party certification license, or safety officer license, the applicant or applicants shall not conduct any business as a third-party certifying entity or safety officer until a license is issued by the Secretary of State pursuant to the requirements contained in subsections (d) and (i).

2) When an application is made for the renewal of an existing third-party certification license or a safety officer license, the applicant shall have the authority to continue to conduct business as a third-party certifying entity or a safety officer until the renewal application is granted or denied by the Department, provided the application has been filed in a timely manner as provided in subsection (f)(4). The application for

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said license shall be made in the same manner as an application for a original third-party certification license or safety officer license.

3) Licenses may not be assigned. No individual, partnership, association, or corporation may sell, assign, barter or trade a third-party certification license or safety officer license issued by the Secretary of State.

4) The Secretary may allow entities, otherwise ineligible to be licensed as a third-party certifying entity, to conduct a third-party certification program on a trial basis, not to exceed one year. At the close of the trial period, the Secretary will determine whether the entities participating in the pilot program shall be granted third-party certification entity status under this Rule.

d) Requirements - Third-Party Certification Entities

1) The entity shall have at least one employee who is licensed or qualified to be licensed as a safety officer for the third-party certification program.

2) The entity shall have a regularly established place of business in the State of Illinois and operate or have access to appropriate vehicles, with the exception of employers having a regular place of business in a contiguous state, e.g., Indiana, Missouri, Wisconsin, Iowa and Kentucky. Any entity having their headquarters in a border state and wishing to participate in the third-party certification program, shall have an appointed agent, for purposes of this program, who is licensed as a safety officer and holds a valid Illinois driver's license or a CDL issued by a contiguous state.

3) The entity shall submit to the Department a copy of any subcontract of services described in this Part.

4) The entity shall have a prescribed physical driving course for each location and be required to meet a driving skills test with the same minimum standards as the course used for examination by the Secretary of State (92 Ill. Adm. Code 1030.85).

5) The entity shall have access to a properly registered motor vehicle which meets the definition of the vehicle group of the classification that the driver applicant operates or expects to operate.

6) The entity shall provide the driver applicant, who takes and passes the skills tests, with documented proof (Secretary of

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State's driver test form) of the same, which shall evidence to the Department that the individual has successfully passed the skills tests administered by the third-party certifying entity.

7) The entity shall collectively submit completed application forms to the Department for each main office, branch office and safety officer.

8) The entity shall have and use a business telephone listing for all business purposes.

9) If a licensed safety officer is temporarily suspended, laid-off or discharged by a third-party certifying entity, the entity shall immediately notify the Secretary of State, on forms furnished by the Secretary of State, of the name, address and license number of the safety officer, such officer's termination date and reason for termination. In all cases where a safety officer has ceased working for the third-party certifying entity, the safety officer must surrender his/her license to the Secretary of State.

10) Facility

A) The established place of business of each third-party certifying entity must consist of at least the following permanent facilities:

i) an office facility;

ii) appropriate space (an area at least 15 feet wide by 100 feet long) to conduct all basic control skills tests (92 Ill. Adm. Code 1030.85).

B) A third-party certifying entity which has an established place of business may operate a branch facility provided the branch facility meets all requirements of the main facility (subsections (d)(10)(A) and (d)(10)(D)).

C) Upon receipt by the Secretary of State of a written request to open a branch facility, an authorized representative of the Secretary of State shall inspect the branch facility and, if it complies with the provisions of this rule, shall issue the appropriate license which must be displayed in a visibly prominent place in the branch facility.

D) Location must comply with public health and safety standards contained in Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 3501-3718.

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11) Records - All third-party certifying entities licensed by the Secretary of State must maintain a record showing the name and address of each driver certified by the entity, the instruction permit or driver's license number of every driver certified, and the results of the final skills test, including endorsements, given to each driver applicant, the name of the safety officer who administered the skills test and the license plate number of the vehicle used to conduct the test.

A) All records must be maintained for a period of four (4) years.

B) Proof of eligibility for certification and final skills tests results for each driver applicant must be kept at the location where the road test was given.

12) Auditing - CDL Driving Skills Test

A) All third-party certifying entities must allow the Secretary of State, Federal Highway Administration or its representatives, to conduct random examinations, inspections, and audits without prior notice pursuant to 49 CFR 385.75.

B) All third-party certifying entities must allow the Secretary of State to conduct on-site inspections at least annually.

C) The Secretary of State shall annually re-examine a sample percentage of the certified driver applicants to compare pass/fail results.

13) Display of Licenses - Each third-party certifying entity shall display in a prominent place at the established place of business the following:

A) The state license issued to the third-party certifying entity; and

B) Safety officer licenses of all safety officers employed by the third-party certifying entity.

e) Skills Tests

1) Any CDL skills tests administered by the third-party certifying entity must be conducted as specified in Subparts G and H of 49 CFR Section 383.

2) Driving Skills - The entity shall have a prescribed physical driving course for each location and must be required to

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administer a skills test with the same minimum standards as that which would be given by the Secretary of State. (92 Ill. Adm. Code 1030.85.) The entity shall test and the driver applicant shall demonstrate skills including, but not limited to:

- A) basic control;
- B) shifting;
- C) backing;
- D) speed management; and,
- E) space management.

3) Pre-trip inspection skills - Where applicable, the entity shall test and the driver applicant shall demonstrate skills necessary to conduct a pre-trip inspection, which include the ability to:

- A) locate and verbally identify air brake operating controls and monitoring devices;
- B) determine the motor vehicle's brake system condition for proper adjustments and that the air system connections between vehicles have been properly made and secured;
- C) inspect low pressure warning device(s) to ensure they will activate in emergency situations;
- D) ascertain with the engine running, that the system contains an adequate supply of compressed air;
- E) determine that the required minimum air pressure build up at the time is within acceptable limits and that required alarms and emergency devices automatically deactivate at the proper pressure level; and,
- F) operationally check the brake system for proper performance.

4) Restrictions and/or Endorsements. - Third-party certification entities conducting road tests for restrictions and/or passenger endorsements must meet a skills test with the same minimum standards as an exam offered by the Secretary of State for the restriction and/or endorsement. (92 Ill. Adm. Code 1030.92.)

5) Third-party certifying entities conducting road tests for motorcycle and non-CDL classifications are not bound by points 1) through 4) above, but instead must meet a driving skills test which shall be prescribed by the Secretary of State for these classifications and judged by the same minimum standards. (92 Ill. Adm. Code 1030.85.)

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A) Motorcycle skills tests must include at least the following:

- i) basic vehicle control skills;
- ii) safe driving skills;
- iii) visual search;
- iv) speed and space management; and,
- v) mounting and dismounting.

B) Non-CDL skills tests must include at least the following:

- i) basic vehicle operation;
- ii) safe driving skills;
- iii) speed and attention;
- iv) lane and right of way observance;
- v) obeying traffic control devices;
- vi) use of special equipment.

f) Issuance and Renewal of Third-Party Certifying Entity Licenses

1) Issuance of Licenses to Third-Party Certifying Entity - The Secretary of State shall issue a license to conduct a third-party certification program when the Secretary of State is satisfied that the entity applying for a third-party certification license has met the requirements under this Rule.

2) Expiration of Licenses - All outstanding licenses issued to any third-party certifying entity shall expire three (3) years from the date the license was issued unless sooner canceled, suspended, or revoked under the provisions of subsection (g).

3) Renewal of Licenses - The license of each third-party certifying entity may be renewed subject to the same conditions as the original license.

4) Licenses - Form and Filing - All applicants for renewal of a license shall be on a form prescribed by the Secretary of State and must be filed with the Secretary not less than sixty (60) days preceding the expiration date of the license to be renewed.

g) Denial, Cancellation, Suspension, and Revocation of Third-Party Certifying Entity Licenses

1) The Secretary of State shall deny an application for a third-party certifying entity license or renewal:

- A) to any entity that submits a fraudulent application.
- B) to any entity that is also currently the owner of a Commercial Driver Training School.

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C) to any entity that currently employs individuals, also employed by the Secretary of State.

D) to any entity that owes outstanding fees to the Secretary of State.

E) to any third-party certifying entity that lacks a safety officer.

F) to any third-party certifying entity that fails to meet location standards:

- i) fails to comply with public health and safety standards contained in Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 3501-3718.

- ii) fails to have a telephone that registers to the third-party certification entity.

2) The Secretary of State shall cancel a third-party certifying entity license, following a written warning and a ten (10) day notice period, upon evidence that:

- A) the entity submitted a fraudulent application.
- B) the entity or subcontractor is also currently the owner of a Commercial Driver Training School.
- C) the entity employs individuals, also employed by the Secretary of State.

D) the entity owes outstanding fees to the Secretary of State.

E) the third-party certifying entity lacks a safety officer.

F) the third-party certifying entity fails to meet location standards:

- i) fails to comply with public health and safety standards contained in Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 3501-3718.

- ii) fails to have a telephone that registers to the third-party certification entity.

3) The Secretary of State shall suspend a third-party certifying entity's license for three (3) months, following a written warning and a ten (10) day notice period, upon evidence of the following:

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- A) improper record keeping in violation of subsection (d)(9), or
- B) failure to produce records upon demand of the auditing agency.
- C) repeated failures by the entity's certified driver applicants to pass skills tests upon re-examination pursuant to subsections (d)(12) and (e) of this Section.

4) The Secretary of State shall suspend a third-party certifying entity's license, following a written warning and a ten (10) day notice period, if it is discovered the entity is certifying applicants who have not obtained instruction permits and have not been previously licensed in a classification representative of the vehicle the applicant intends to drive. The length of the suspension shall be three (3) months. The second incident within two years shall result in a six (6) month suspension. The third incident shall result in revocation of the license.

5) The Secretary of State shall suspend the third-party certifying entity's license for the first incident of fraud, which includes but is not limited to certifying persons not eligible. The suspension shall be for three (3) months. A second incident within two (2) years shall result in revocation of the license.

h) Issuance and Renewal of Safety Officer License

1) Issuance of Licenses to Safety Officers - The Secretary of State shall issue a license to each safety officer when the Secretary of State is satisfied that such person has met the qualifications required under this Rule. Each third-party certification safety officer license shall authorize the licensee to test for only the employer indicated on the license, except when the safety officer is employed by an entity providing contractual services to the third-party certification entity or the safety officer is employed by both a governmental and private entity.

2) Expiration of Licenses - All outstanding licenses issued to any safety officer shall expire three (3) years from the date the license was issued, unless sooner canceled, suspended, or revoked under the provisions of subsection (i).

3) Renewal of Licenses - The license of each safety officer may be renewed subject to the same conditions as the original license.

4) Licenses - Form and Filing - All applications for renewal of a safety officer license shall be on a form prescribed by the Secretary of State and must be filed with the Secretary not less

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than sixty (60) days preceding the expiration date of the license to be renewed.

i) Safety Officer

1) Requirements. The Secretary of State shall not issue a safety officer license:

A) unless the safety officer applicant is 21 years of age, or older and holds a valid Illinois driver's license or a CDL from a contiguous state.

B) unless the safety officer applicant is physically able to safely operate a motor vehicle and to test others in the safe operation of motor vehicles (i.e., not ineligible for licensing under Section 6-103 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-103) and 92 Ill. Adm. Code 1030.10).

C) unless the safety officer applicant is employed by a third-party certifying entity.

D) unless the safety officer applicant has, for at least two (2) years immediately preceding application, a valid driver's license in the specific classification in which he intends to test or the equivalent under the classification system prior to April 1, 1990.

E) to any person whose driver's license has been suspended or revoked, within a period of five (5) years of the date of application.

F) to any person who fails to properly make application for such safety officer's license or otherwise indicates that he/she is unqualified to receive such a license.

G) to any person who is currently a salaried employee of the Secretary of State.

H) to any person intending to skills test CDL driver applicants, unless the safety officer applicant has received training equivalent to that given to Secretary of State examiners administering CDL driving skills tests.

I) to any individual who has failed to comply with the provisions of these Rules.

2) Denial of License. The Secretary of State shall deny a safety officer's license upon evidence that:

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- A) the applicant has been convicted of driving while under the influence of alcohol, other drugs, or a combination thereof; leaving the scene of an accident; and reckless homicide or reckless driving, or is suspended under Section 6-206(a)(3) of the Illinois Driver Licensing Law of the Illinois Vehicle Code or Section 11-501.1 of the Illinois Rules of the Road of the Illinois Vehicle Code within 5 years prior to the date of application.
- B) the applicant fails to properly make application for such license.
- C) the applicant is not employed by a third-party certifying entity.
- D) the applicant is currently a salaried employee of the Secretary of State.
- E) the applicant is not at least 21 years of age and holds a valid Illinois driver's license or a CDL from a contiguous state.
- F) the applicant submits a fraudulent application.
- G) the applicant is currently employed by a Commercial Driver Training School.
- H) the applicant owes outstanding fees to the Secretary of State.
- I) the applicant is physically unable to operate a motor vehicle within the classification for which they intend to test (i.e., not ineligible for licensing under Section 6-103 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-103) and 92 Ill. Adm. Code 1030.10).
- J) the applicant's driver's license is currently canceled, suspended or revoked.
- K) the applicant's driver's license has been suspended or revoked within a period of five (5) years of the date of application. However, suspensions related to auto emissions and parking are exempt from the five year period after the suspension is terminated.
- L) the applicant has not held, for at least two (2) years immediately preceding application, a valid license in the classification in which he intends to test or the equivalent under the classification system prior to April 1, 1990.

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- M) the applicant intends to skills test CDL driver applicants, but has not received training equivalent to that given to Secretary of State examiners administering CDL driving skills tests.
- 3) The Secretary of State shall cancel a safety officer's license, following a written warning including a ten (10) day notice, upon evidence that:
- A) the individual has been convicted of driving while under the influence of alcohol, other drugs, or a combination thereof; leaving the scene of an accident; and reckless homicide or reckless driving, or is suspended under Sections 6-206(a)(3) or 11-501.1 of the Illinois Vehicle Code within 5 years prior to the date of application.
- B) the individual fails to properly make application for such license.
- C) the individual is not employed by a third-party certifying entity.
- D) the individual is currently a salaried employee of the Secretary of State.
- E) the individual is not at least 21 years of age.
- F) the individual submits a fraudulent application.
- G) the individual is currently employed by a Commercial Driver Training School.
- H) the individual owes outstanding fees to the Secretary of State.
- I) the individual is physically unable to operate a motor vehicle within the classification for which they intend to test (i.e., not ineligible for licensing under Section 6-103 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-103) and 92 Ill. Adm. Code 1030.10)).
- J) the individual's driver's license is currently canceled, suspended or revoked.
- K) the individual's driver's license has been suspended or revoked within a period of five (5) years of the date of application. However, suspensions related to auto emissions and parking are exempt from the five year period after the suspension is terminated.

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L) the individual has not held, for at least two (2) years immediately preceding application, a valid license in the classification in which he intends to test or the equivalent under the classification system prior to April 1, 1990, unless it is a CDL classification or endorsement.

M) the individual intends to skills test CDL driver applicants, but has not received training equivalent to that given to Secretary of State examiners administering CDL driving skills tests.

4) The Secretary of State shall cancel a safety officer's license immediately upon receiving notification that the safety officer is no longer employed by the third-party certification entity or no longer has a valid license.

5) The Secretary of State shall suspend a safety officer's license, following a written warning and a ten (10) day notice period, if it is discovered the safety officer is certifying applicants who have not obtained instruction permits. The length of the suspension shall be three (3) months. The second incident within two (2) years shall result in a six (6) month suspension, and the third incident shall result in revocation of the license.

6) The Secretary of State shall suspend immediately a safety officer's license for the first incident of fraud, which includes but is not limited to certifying a person not eligible. The suspension shall be for three (3) months. A second incident of fraud within two (2) years shall result in revocation of the license.

1) Hearings. Prior to the suspension, revocation, cancellation or denial of the license of a third-party certification entity or safety officer, the Department shall give fifteen (15) days' written notice to such entity or person. The sanction shall be effective on the 15th day. If a formal hearing is requested in writing during the notice period, in accordance with 92 Ill. Adm. Code 1001, Subpart A and Section 2-118 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-118), the sanction shall be stayed pending the outcome of such hearing. The basis for cancellation, suspension, revocation, or denial of a license or renewal of a license is stated in this Section.

k) Review Under Administrative Law. Judicial Review - The action of the Secretary of State in cancelling, suspending, revoking or denying any license under this Act shall be subject to judicial review in the Circuit Court of Sangamon County or the Circuit Court of Cook County, pursuant to Section 2-118 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987,

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ch. 95 1/2, par. 2-118) and the provisions of the Administrative Review Law. (Ill. Rev. Stat. 1987, ch. 110, pars. 3-101 et seq.) All the provisions and modifications thereto, and all the rules adopted thereto, are hereby adopted and shall apply to and govern every action for judicial review of the final acts or decisions of the Secretary of State under this Section.

(Source: Amended at 14 Ill. Reg. 9498, effective 5/17/90)

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- 10) Are there any Proposed Amendments pending to this Part? Yes
- | Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|---------------------------------------|
| 147.150 | Amendment | May 4, 1990
(14 Ill. Reg. 6664) |
| 147.250 | Amendment | April 13, 1990
(14 Ill. Reg. 5434) |
- 11) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.
- 12) Information and questions regarding these Emergency Amendments shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Flr.
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Emergency Amendments begin on the next page:

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- 1) The Heading of the Part: REIMBURSEMENT FOR NURSING COSTS FOR GERIATRIC FACILITIES
- 2) Code Citation: 89 Ill. Adm. Code 147
- 3) Section Numbers: Emergency Action:
- | | |
|---------|-------------|
| 147.300 | New Section |
| 147.305 | New Section |
| 147.310 | New Section |
| 147.315 | New Section |
| 147.320 | New Section |
| 147.325 | New Section |
| 147.330 | New Section |
| 147.335 | New Section |
| 147.340 | New Section |
| 147.345 | New Section |
| 147.350 | New Section |

- 4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

- 5) Effective Date of Emergency Amendments: June 4, 1990
- 6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable

- 7) Date Filed in Agency's Principal Office: June 4, 1990

- 8) Reason for Emergency: This rulemaking provides for reimbursement for the costs of providing specialized services to persons residing in nursing facilities. The Department has determined that the health and welfare of persons in need of such services constitutes a situation requiring emergency rulemaking.

- 9) A Complete Description of the Subjects and Issues Involved: This rulemaking allows the Department to reimburse nursing facilities for specialized services provided residents. This rulemaking is enacted under Section 4201 (e)(7)(c)(i) of the Omnibus Reconciliation Act of 1987. The estimated annual cost of the program is \$43.8 million.

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

REIMBURSEMENT FOR NURSING COSTS FOR
GERIATRIC FACILITIES

PART 147

Section 147.5	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities
147.25	Functional Needs and Restorative Care Service Needs
147.50	Definitions
147.75	Reconsiderations
147.100	Midnight Census Report
147.105	Times and Staff Levels
147.125	Statewide Rates
147.150	Referrals
147.175	Basic Rehabilitation Aide Training Program
147.200	Nursing Rates
147.205	Determination of Program (Specialized Services)
147.300	Costs
EMERGENCY	Specialized Service Requirements for Individuals With Mental Illness in Residential Facilities
140.305	Inspection of Care (IOC) Review Criteria for the Evaluation of Specialized Services in Residential Facilities for Individuals with Mental Illness
EMERGENCY	Comprehensive Functional Assessments and Reassessments
147.310	Interdisciplinary Team (IDT)
EMERGENCY	Comprehensive Care Plan (CCP)
147.325	Specialized Care - Administration of Psychopharmacologic Drugs
EMERGENCY	Specialized Care - Behavioral Emergencies
147.330	Discharge Planning
EMERGENCY	Reimbursement for Program Costs in Nursing Facilities Providing Specialized Services for Individuals with Mental Illness
147.345	Reimbursement for Program Costs in Nursing Facilities Providing Active Treatment for Individuals with Developmental Disabilities
EMERGENCY	Staff Time and Allocation by Need Level
147.350	Staff Time and Allocation for Restorative Programs
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TABLE A	
TABLE B	

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Recodified from 89 Ill. Adm. Code 140.900 thru 140.912 and 140.913 thru 140.914 at 12 Ill. Reg. 6956; amended at 13 Ill. Reg. 559, effective January 1, 1989; amended at 13 Ill. Reg. 7043, effective April 24, 1989; emergency amendment at 13 Ill. Reg. 10999, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 16796, effective October 13, 1989; amended at 14 Ill. Reg. 210, effective December 21, 1989; emergency amendment at 14 Ill. Reg. 6915, effective April 19, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 147.300 Determination of Program (Specialized Services) Costs

a) The Department reimburses residential facilities for program costs associated with the delivery of specialized services to individuals with mental illness, according to information obtained during each facility's most recent Inspection of Care (IOC) review conducted by Department staff. The categories of facilities which are affected by Sections 147.300 through 147.350 are intermediate care facilities for individuals with mental illness (ICF/MI) and nursing facilities (NF) with at least one individual with mental illness determined to require specialized services. IOC review assessments of 100% of the Medicaid residents are conducted in these facilities every twelve (12) months. Program reimbursement determination is based upon IOC review criteria specified in Sections 147.25 through 147.205

Agency Note: Omnibus Budget Reconciliation Act of 1987 (P.L. 100-203) requirements prohibit the admission of an individual who is mentally ill into nursing facilities on or after January 1, 1989, unless the state mental health authority has determined that this level of service is required. However, if an individual does not require nursing facility services,

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Section 147.300 Determination of Program (Specialized Services) Costs (Cont'd)
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but does require active treatment, and the individual has resided in the facility for thirty (30) continuous months or longer, and the resident chooses to remain in the facility, specialized services must be provided by the facility and reimbursement will be made by the Department as determined by IOC assessments.

- b) Reimbursement for services under Sections 147.300 through 147.350 does not include services to maintain generally independent individuals who are able to function with little supervision or in the absence of a continuous specialized services program.

(Source: Emergency rule added at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days)

Section 147.305 Specialized Service Requirements for Individuals With Mental Illness in Residential Facilities
EMERGENCY

- a) Facilities serving individuals with mental illness must provide a continuous specialized service program for each individual as required by Section 1919(e)(7)(C)(i) of the Social Security Act (42 U.S.C. 1396r). This program is directed toward:

- 1) The acquisition of behaviors and skills necessary to reach the highest practical functional level with as much self-determination and independence in the areas of self-maintenance, social functioning, community living activities, and work related skills, and
- 2) The reduction of residual psychiatric symptoms with the prevention or deceleration of regression or loss of current optimal functional status.
- b) The specialized service program for each individual must be delivered through the implementation of a Comprehensive Care Plan (CCP) consisting of interventions and services which are designed to meet the individual's needs with continuity across all of the environments in which the individual lives. The

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Section 147.305 Specialized Service Requirements for Individuals With Mental Illness in Residential Facilities (Cont'd)
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CCP is a plan where specialized services programming and interventions are consistently implemented throughout the day, regardless of the individual's whereabouts.

- c) The CCP must be developed by an Interdisciplinary Team (IDT) that represents the individual, and the professions, disciplines or service areas that are relevant to identifying and prioritizing the individual's needs, and designing programs to address the identified needs.

- d) Each individual's specialized service program must be integrated, coordinated and monitored by a Qualified Mental Health Professional (QMHP), identified as an individual who meets one of the following criteria and in addition has a minimum of one year of experience working directly with persons with mental illness:

- 1) A doctor of medicine or osteopathy;
- 2) A registered nurse;
- 3) An occupational therapist or occupational therapy assistant certified by the American Occupational Therapy Association or other comparable body;
- 4) A psychologist with at least a master's degree in psychology from an accredited school;
- 5) A social worker with at least a bachelor's degree from a college or university or graduate degree from a school of social work accredited or approved by the Council on Social Work Education or another comparable body;
- 6) A human services professional with at least a bachelor's degree in a human services field (including, but not limited to: sociology, special education, rehabilitation counseling and psychology).

(Source: Emergency rule added at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days)

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Section 147.310 Inspection of Care (IOC) Review Criteria for
EMERGENCY the Evaluation of Specialized Services in
 Residential Facilities for Individuals with
 Mental Illness

- a) Federal regulations require that Medicaid facilities serving individuals with mental illness address the needs of each individual through a continuous specialized service program. The Interdisciplinary Team (IDT) is a key component in a facility's ability to develop an appropriate program of specialized services for each individual in residence. The responsibility for the composition and quality of the IDT rests solely with the licensed provider. Further, a facility is fully responsible for ensuring the delivery to each individual, of all criteria in Sections 147.25 through 147.205, which are deemed necessary by the IDT, in the program of specialized services for that individual.

- b) The Inspection of Care review criteria, are used to assess facility performance in meeting the variable needs of individuals with mental illness through individualized programs of specialized services. The criteria identified in these sections constitute the essential elements of specialized services.

(Source: Emergency rule added at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days)

Section 147.315 Comprehensive Functional Assessments and
EMERGENCY Reassessments

Comprehensive Assessments and Reassessments

- a) Comprehensive Assessments

The interdisciplinary team (IDT) must identify the individual's needs by performing a comprehensive assessment, as needed, to supplement any preliminary evaluation conducted prior to admission to a residential facility. Effective October 1, 1990, assessments must be conducted or coordinated by a Qualified Mental Health Professional (QMHP).

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Section 147.315 Comprehensive Functional Assessments and
EMERGENCY Reassessments (Cont'd)

- 1) Prior to October 1, 1990, a comprehensive functional assessment must be administered by the IDT no later than fourteen (14) days after admission to a residential facility or notification from the Department that a current resident has been identified as being in need of specialized services. On or after October 1, 1990, a comprehensive functional assessment must be administered no later than four (4) days after admission or notification. Reports from the pre-admission screening assessment may be used as part of the comprehensive functional assessment if the assessment reflects the current condition of the individual. The assessment must include:

- A) Psychiatric Evaluation completed by a board certified psychiatrist, or when countersigned by a psychiatrist, a physician, a Ph.D. clinical psychologist, a Master Degree Psychiatric RN, or a Licensed Certified Social Worker (LCSW). The evaluation shall include:
- i) Psychiatric history with present and previous psychiatric symptoms;
 - ii) Comprehensive mental status examination, which includes: a description of intellectual functioning, memory functioning, orientation, affect, suicidal/homicidal ideation, response to reality testing, and current attitudes and overt behaviors; and
 - iii) Diagnostic formulation, using the Diagnostic Statistical Manual III (Revised).
- B) Psychosocial history completed by a Qualified Social Worker or a QMHP covering the following points:
- i) Personal and family history including

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Section 147.315
EMERGENCY

Comprehensive Functional Assessments and Reassessments (Cont'd)

the history of mental illness in the family;

- ii) Cognitive functioning (attention, memory, information attitudes), perceptual disturbances, thought content, speech, and affect; and an estimation of the ability and willingness to participate in treatment;
 - iii) History of mental health treatment;
 - iv) Present level of functioning including social adjustment and daily living skills;
 - v) Legal status (e.g., guardianship, representative payee, trust beneficiary, pending court order);
 - vi) Level of education and/or specialized training;
 - vii) Previous employment and/or acquired vocational skills, if applicable;
 - viii) Activities and interests;
 - ix) History and/or current alcohol/chemical dependency;
 - x) Resource availability (e.g., income entitlements, health care benefits, subsidized housing, social services, etc.);
 - xi) Current living arrangements and existing natural support network.
- c) Level of functioning scale completed under the direction of and signed by a Qualified Mental Health Professional or a Qualified Social Worker.

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Section 147.315
EMERGENCY

Comprehensive Functional Assessments and Reassessments (Cont'd)

- D) Rehabilitation potential completed under the direction of and signed by a Qualified Mental Health Professional or a Qualified Social Worker.
 - E) Recreation and leisure activities completed under the direction of the Activity Director or Occupational Therapist.
 - F) Physical examination completed by a physician or by a registered nurse countersigned by a physician.
 - G) Health assessment completed by a registered nurse which includes:
 - i) Sensory and physical impairments completed by a physician or by a registered nurse and countersigned by a physician;
 - ii) Special treatments or procedures;
 - iii) Medical history where appropriate;
 - iv) Medication history where appropriate;
 - v) Oral screening; and
 - vi) Nutritional screening.
 - H) Discharge potential completed under the direction of and signed by a Qualified Mental Health Professional or a Qualified Social Worker.
 - I) Other assessments, as indicated by the individual's needs, which in the IDT's professional judgment, should be performed.
- 2) The comprehensive assessment should be used to develop a comprehensive care plan which:
- A) Identifies presenting problems and areas of need;

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Section 147.315 Comprehensive Functional Assessments and Reassessments (Cont'd)

EMERGENCY
H) Other assessments needed and performed, as determined by the interdisciplinary team.

(Source: Emergency rule added at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days)

Section 147.320 Interdisciplinary Team (IDT)
EMERGENCY

The IDT for individuals with mental illness includes representation from the professions, disciplines or service areas that are relevant to identifying the individual's needs as described by the comprehensive assessments, and to designing programs that meet the individual's need. The team identifies the treatment needs of the individual and collectively assigns priorities to the individual's needs to develop a single comprehensive care plan (CCP).

- a) The CCP shall be developed with the participation of an IDT comprised of professionals who represent the needs of the individual. The team must include a Qualified Mental Health Professional (QMHP), a psychiatrist or a Ph.D clinical psychologist or a Master Degree Psychiatric RN and a registered nurse or a LPN with responsibility for the individual.
- b) The individual must participate on the team unless the individual's inability or unwillingness to participate is documented.
- c) The individual's parent, guardian or advocate may participate unless the individual desires that they not participate; or participation of the parent, guardian or advocate is unobtainable and efforts to solicit their participation are documented.
- d) The individual team members collect data or utilize previous data from assessments, interpret data, and clearly summarize and reports findings to the IDT. Each professional team member writes recommendations regarding appropriate program and service goals.
- e) The team integrates data from the comprehensive assessments and prioritizes treatment goals and programs.

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Section 147.315 Comprehensive Functional Assessments and Reassessments (Cont'd)

EMERGENCY
B) Identifies the individual's specific strengths and deficits;
C) Identifies any behavioral management needs which the individual might have; and
D) Identifies the individual's need for services and environmental modification without regard to the actual availability of the services needed or practicality of changing the current environment.

b) Reassessments

- 1) At least every three months, the QMHP shall review each individual and provide an analysis of this review. If needed, the QMHP will call together the appropriate IDT members to revise the resident's assessment, assuring the continued accuracy of the assessment.
- 2) Comprehensive assessments must be conducted in no case less often than once every twelve (12) months. Assessments are performed or obtained for the individual based on the determination of the interdisciplinary team, in the following areas:
 - A) Psychiatric evaluation;
 - B) Psychosocial history;
 - C) Level of functioning scale;
 - D) Rehabilitation potential;
 - E) Recreation and leisure activities;
 - F) Physical examination;
 - G) Health assessment; and

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Section 147.320 Interdisciplinary Team (IDT) (Cont'd)

EMERGENCY

- f) A comprehensive care plan must be developed within seven days after the completion of the comprehensive assessment.
- g) The CCP shall be signed by the psychiatrist or physician, the nurse with responsibility for the individual, the QMHP, and where possible, the individual for whom the plan was developed. There must be documented evidence that the CCP was explained to the individual or guardian for whom the plan was developed.

(Source: Emergency rule added at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days)

Section 147.325 Comprehensive Care Plan (CCP)

EMERGENCY

Overview -- Each individual must have a CCP which is composed of goals and objectives established by an IDT. The CCP is developed and modified, as necessary, according to the individual's needs, as identified in the comprehensive assessments. The assessment must be reviewed for relevancy and updated as appropriate, at least quarterly by the IDT. The CCP must be reviewed and revised by the IDT after each assessment to assure that the CCP remains relevant and appropriate to meet the needs of the individual.

- a) The CCP must address major needs of the individual through a program of individualized services.
- b) The plan for each individual must state specific goals that are developed by the IDT. The individual's needs must be prioritized, and approaches or programs must be developed with specific goals, to address the higher prioritized needs. If there is a lower priority need which is not being addressed through a specific goal or program, a statement must be made as to why it is not being addressed or how the need will be otherwise addressed.
- c) For each behavioral and service goal identified in the CCP, the IDT must indicate the appropriate person or

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Section 147.325 Comprehensive Care Plan (CCP) (Cont'd)

EMERGENCY

- staff level responsible for implementing the program or providing the service.
- d) The plan must be a single comprehensive program designed to meet the needs of the individual across all of the environments in which he/she lives, through consistent program implementation and interventions.
- e) Specific program objectives/goals must relate to the data derived from the comprehensive assessments.
- f) The goals must be designed to assist the individual to function at the greatest physical, cognitive, social and vocational level which he/she can presently or potentially achieve.
- g) The individual must be offered choices of relevant rehabilitation activities which are available to meet their needs. Community based (off site) rehabilitation programs should be encouraged.
- h) The CCP must describe relevant interventions to reduce or stabilize symptomatology and support the individual toward independence.
- i) The CCP shall be based upon each resident's assessed functioning level and shall include the following activities, as appropriate for the resident:
- 1) Self-maintenance training addressing topics such as:
 - A) Physical functioning;
 - B) Personal care and hygiene;
 - C) Grooming;
 - D) Dressing;
 - E) Toileting;
 - F) Nutrition;
 - G) Speech and Language;

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Section 147.325 Comprehensive Care Plan (CCP) (Cont'd)
EMERGENCY

- H) Eating habits;
 - I) Maintenance of personal space and possessions;
 - J) Health maintenance;
 - K) Use of medication; and
 - L) Self-medication program.
- 2) Social functioning, addressing topics such as:
- A) Interaction and involvement with family/significant others;
 - B) Social skills;
 - C) Relationships with male and/or female friends;
 - D) Peer group involvement;
 - E) Leisure/recreational activities; and
 - F) Education regarding alcohol and substance abuse.
- 3) Behavior intervention addressing topics such as:
- A) Behavior and impulse control;
 - B) Reductions of staff interventions while increasing the individual's ability to manage their behaviors unassisted; and
 - C) Individual and group counseling.
- 4) Community living skills addressing topics such as:
- A) Homemaking responsibilities;
 - i) Cleaning,

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Section 147.325 Comprehensive Care Plan (CCP) (Cont'd)
EMERGENCY

- ii) Laundry,
 - iii) Meal preparation and service,
 - iv) Shopping,
 - v) Financial management,
 - vi) Using telephone,
- B) Use of transportation;
- C) Traveling from residence independently;
- D) Recognizing and avoiding common dangers; and
- E) Use of community services.
- 5) Work related skills addressing topics such as:
- A) Job retention behaviors;
 - i) Tardiness,
 - ii) Absenteeism,
 - iii) Relationships with co-workers/supervisors,
 - iv) Work quality,
 - v) Work quantity,
 - vi) Ability to accept, understand and carry out instructions,
 - B) Job seeking skills;
 - i) Ability to initiate and schedule own activities,
 - ii) Ability to seek employment,
 - iii) Completing an application,

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Section 147.325 Comprehensive Care Plan (CCP) (Cont'd)
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- iv) Personal appearance,
- v) Communication and interviewing skills,
- vi) Ability to set realistic vocational goals,

C) Basic Academic skills; and

D) Alternative vocational placements;

- i) Supported employment,
- ii) Transitional employment,
- iii) Workshop employment,

j) Goals must not be so difficult that they cannot be accomplished in a year's time or so simple that they are already in the individual's repertoire.

k) The CCP must contain objectives to reach each of the individual's goals in the plan. Each objective:

- 1) Must be developed by the IDT;
- 2) Must be based on the results obtained from the assessment process;
- 3) Must be stated in measurable terms and identify specific performance measures to assess;
- 4) Must be developed with a projected completion or review date (month, day, year); and
- 5) Must be assigned a priority based on the individual's functioning level and progression of needs.

l) The CCP must:

- 1) Describe relevant interventions to support an individual towards functioning as independently as possible;

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Section 147.325 Comprehensive Care Plan (CCP) (Cont'd)
EMERGENCY

- 2) Address maintenance and reinforcement of acquired skills during non-specific training time; and
- 3) Contain beginning dates and projected ending dates for each service or intervention.

m) Programs designed to implement the objectives in the resident's CCP must specify:

- 1) Program goals (long and short term) with rationale for the goals;
- 2) Specific objectives to meet the individual goals stated sequentially;
- 3) Planned service or intervention related to accomplishing the objectives including the frequency, quantity and duration of services;
- 4) The evaluation method to be used to monitor provision of the planned service or intervention;
- 5) The evaluation criteria used to monitor the expected results of accomplishing the objective;
- 6) Progress evaluation periods; and
- 7) Identification of the professional staff responsible for implementing specific parts of the program, and for overall program implementation.

n) CCP Implementation.

- 1) A single CCP must be developed and implemented for each individual.
- 2) Services relevant to the CCP must be provided to implement the CCP. Programs must be integrated into the individual's daily life so that he/she receives a continuous specialized service program across all environments.
- 3) If multiple providers are providing mental health services to the client, one master CCP shall

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Section 147.325 Comprehensive Care Plan (CCP) (Cont'd)
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reflect the coordination of goals and services.
A copy of the CCP should be sent to the appropriate providers.

- 4) Program interventions to the extent practical should be delivered in a natural context during normal, daily occurrences. Specific objectives and services/interventions should be integrated into activities which occur naturally in the individual's environment.

o) CCP Documentation.

- 1) The individual's response to the CCP and progress toward goals must be documented in progress notes.
- 2) Significant events that are related to the individual's CCP, and assessments that contribute to an overall understanding of his/her ongoing level and quality of functioning, must be documented.

p) CCP Monitoring and Change.

Implementation of the individual's CCP must be supervised by the Qualified Mental Health Professional (QMHP), on an ongoing basis. At least monthly, the QMHP must review and summarize the individual's progress.

- 1) The QMHP must review progress to determine if the individual:
 - A) Has successfully completed an objective(s) as identified in the CCP;
 - B) Is regressing or losing skills previously gained;
 - C) Is failing to progress toward identified objectives after reasonable efforts have been made relative to his/her level of functioning and potential; and
 - D) Has made sufficient progress toward

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Section 147.325 Comprehensive Care Plan (CCP) (Cont'd)
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accomplishing an objective and is ready to move toward a new objective.

- 2) The QMHP must evaluate the progress or lack of progress towards accomplishing program objectives and determine the need to change the CCP based on the individual's response to programming.
- 3) The QMHP must suggest revisions in the CCP, when necessary, to the IDT. If revisions are required, the QMHP will make the revisions in consultation with the psychiatrist or physician and with the nurse who is responsible for the individual.
- 4) The QMHP coordinates staff in the delivery of programs, oversees data collection, and reviews performance.

q) CCP Outcome.

The outcome of the current CCP provides a measure of how well the program of specialized services has moved the individual closer to his/her optimum individual, social, community and vocational functioning.

(Source: Emergency rule added at 14 Ill. Reg. 9543 effective June 4, 1990, for a maximum of 150 days)

Section 147.330 Specialized Care - Administration of Psychopharmacologic Drugs
EMERGENCY

Psychopharmacologic drugs must be ordered by a psychiatrist or physician and must be an integrated part of the resident's individual treatment plan that is designed to lead to a less restrictive way of treating the symptoms for which the drugs are employed.

- a) No prescription medication shall be administered except upon the written or verbal order of a physician.
 - 1) Verbal orders may be given only to a licensed nurse, pharmacist or another physician. The

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Section 147.330
EMERGENCY

Specialized Care - Administration of
Psychopharmacologic Drugs (Cont'd)

Section 147.330 Specialized Care - Administration of
Psychopharmacologic Drugs (Cont'd)

individual receiving a verbal order must record and sign it immediately.

guardian, the reasons for the treatment, possible benefits and consequences of the medication, and has obtained informed consent for its use.

- 2) Verbal orders for Schedule II drugs are permitted only in the case of a bona fide emergency situation. Two PRNs within a six (6) month period will require a medical review.
- 3) Verbal orders must be confirmed in writing by the ordering physician within seventy-two (72) hours.
- 4) All prescriptions may not be written for more than a ninety (90) day period.

At least every month, the psychiatrist or physician shall review the psychopharmacologic drug regimen of each individual under his/her care.

The nursing facility shall establish automatic stop order procedures or other methods for controlling medication dosage when the prescribing physician fails to review the drug regimen, fails to confirm verbal orders or does not include in the order, a specific limit on the time or number of doses. The facility must notify the prescribing physician of this action prior to the expiration date of the medication.

- d) Before a psychopharmacologic medication is prescribed, the attending psychiatrist or physician shall record in the resident's medical record the following information:

- 1) The diagnosis and the specific behaviors or other signs and symptoms which indicate a need for the medication, and assurance that appropriate laboratory tests are performed on a regular basis and analyzed;
- 2) The method for assessing the resident's progress or response to the treatment, including adverse effects; and
- 3) Confirmation that the psychiatrist, physician or nurse has explained in lay terms to the individual and/or the individual's family or

- e) Administration of psychopharmacologic medication
 - 1) During the course of the administration of psychopharmacologic medication, the nursing facility shall ensure that the resident's physical, mental, psychosocial care and other treatment are trained as to the potential effects of the medication and record their observations of these effects, including effects of the resident's progress in habilitation and education programs and participation in other activities.
 - 2) Pursuant to this requirement, the nursing facility shall ensure that appropriate persons responsible for the resident's physical, mental, psychosocial care and other treatment are trained as to the potential effects of the medication and record their observations of these effects, including effects of the resident's progress in habilitation and education programs and participation in other activities.
- f) Repeated administration of a psychopharmacologic medication, including substitution of medication of the same class, shall never cumulatively exceed one year without the attending psychiatrist or physician effecting, where appropriate, a carefully monitored gradual withdrawal of the medication. This periodic drug withdrawal shall be used to determine the need for continuing the medication and the prescribed dosage. During such withdrawal, the results shall be noted in the resident's medical record. Withdrawal should proceed as long as the resident's condition has not worsened.

- g) The attending psychiatrist or physician shall undertake or order an immediate review of a resident's psychopharmacologic medication regimen when any pharmacist, physician, or nurse states in writing, with reasons therefore, to the attending psychiatrist or physician with experience in psychiatric care that such regimen constitutes a hazard of serious adverse effects not warranted by therapeutic benefit to the residents. Special attention shall be paid to the following medication regimens:

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Section 147.330 Specialized Care - Administration of psychopharmacologic Drugs (Cont'd)

EMERGENCY

- 1) Concurrent use of more than one anti-psychotic medication or concurrent use of an anti-psychotic medication with an anti-anxiety or anti-depressant medication;
- 2) Use of any anti-convulsive or anti-Parkinson medication in the absence of current indications that the resident suffers from convulsions or parkinson-like effect;
- 3) Use of any anti-psychotic medication in the presence of evidence of side effects, such as tardive dyskinesia.
- h) Any individual taking a neuroleptic must be screened for tardive dyskinesia every six months. The screening may be conducted by a nurse or physician using any recognized screening instrument. The results of the screening must be documented in the individuals file and reviewed by the prescribing physician.

(Source: Emergency rule added at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days)

Section 147.335 Specialized Care - Behavioral Emergencies
EMERGENCY

- a) There shall be written policies which are followed in the operation of the facility regarding behavior emergencies and the use of restraints.
 - 1) The facility shall develop progressively restrictive levels of behavior intervention that create an incremental approach toward responding to various behavioral emergencies involving residents.
 - 2) The facility shall respond to a given behavior emergency by using the least restrictive method possible that will protect the health and safety of the resident and other residents.
 - 3) When a facility's response to a behavioral

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Section 147.335 Specialized Care - Behavioral Emergencies (Cont'd)

EMERGENCY

- emergency does not utilize a lower level of intervention prior to instituting a higher level, the facility shall document in the resident's record why the more restrictive measures are used.
- b) The facility shall not confine a resident to a room unattended nor in a manner that prohibits the resident from egressing from that room.
- c) When a disturbed or unmanageable resident is separated from the adverse stimuli related to the situation that is occurring, the facility shall record in the resident's record the events and the reasons for removing the resident from the situation.

(Source: Emergency rule added at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days)

Section 147.340 Discharge Planning
EMERGENCY

- a) Upon admission, a discharge plan must be developed by the interdisciplinary team as a component of the individual's comprehensive care plan. This plan addresses the reduction of symptoms and the acquisition of behaviors and skills necessary for the individual to function with as much independence and self-determination as possible to successfully move into a less restrictive environment.
- b) Effective October 1, 1990, thirty (30) days before the individual's planned discharge the QMHP must notify the individual and if appropriate, a family member or legal representative both orally and in writing of the upcoming planned discharge. A specific individualized discharge plan must be developed thirty (30) days before the planned discharge by the Qualified Mental Health Professional, the psychiatrist or physician and the nurse responsible for the individual. The plan will identify:
 - 1) The alternative living site.

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Section 147.345
EMERGENCY

Reimbursement for Program Costs in Nursing Facilities Providing Specialized Services for Individuals with Mental Illness (Cont'd)

Professional (QMHP). Any facility required to provide specialized services programs to individuals with mental illness must provide QMHP services at a ratio of one (1) QMHP to thirty (30) individuals being served.

B) A Qualified Mental Health Professional (QMHP) is a person who has at least one year of experience working directly with persons with mental illness and is one of the following:

- i) A doctor of medicine or osteopathy;
 - ii) A registered nurse;
 - iii) A psychologist with at least a master's degree in psychology from an accredited school; or
 - iv) An individual who holds at least a bachelor's degree in one of the following professional categories: An occupational therapist or occupational therapy assistant certified by the American Occupational Therapy Association or other comparable body; A social worker with a bachelor's degree from a college or university or graduate degree from a school of social work accredited or approved by the Council on Social Work Education or another comparable body; A human services professional including, but not limited to: sociology, special education, rehabilitation counseling and psychology.
- 3) Assessment and Other Program Services
- A) A comprehensive functional assessment that identifies an individual's needs must be performed as needed to supplement any

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Reimbursement for Program Costs in Nursing Facilities Providing Specialized Services for Individuals with Mental Illness (Cont'd)

preliminary evaluations conducted prior to admission to a nursing facility.

B) A Comprehensive Assessment must include:

- i) Psychiatric Evaluation completed by a board certified psychiatrist, or when countersigned by a psychiatrist, a physician, a Ph.D. clinical psychologist, a Master Degree Psychiatrist RN, or Licensed Clinical Social Worker (LCSW).
- ii) Psycho-social history completed by a Qualified Social Worker or a QMHP.
- iii) Level of functioning scale completed under the direction of and signed by a Qualified Mental Health Professional or a Qualified Social Worker.
- iv) Rehabilitation potential completed under the direction of and signed by a Qualified Mental Health Professional or a Qualified Social Worker.
- v) Recreation and leisure activities completed under the direction of the Activity Director or Occupational Therapist.
- vi) Physical examination completed by a physician or by a registered nurse countersigned by a physician.
- vii) Health assessment completed by a registered nurse.
- viii) Discharge potential completed under the direction of and signed by a Qualified Mental Health Professional or a Qualified Social Worker.

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Section 147.345 Reimbursement for Program Costs in Nursing Facilities Providing Specialized Services for Individuals with Mental Illness (Cont'd)

ix) Other assessments, as indicated by the individual's needs, which the IDT's professional judgment dictates, should be performed.

d) Specialized Services program reimbursement includes other program costs, including program-related supplies, consultants and other items necessary for the delivery of specialized services to clients in accordance with their individual program plans.

e) Total program add-on reimbursement for delivery of specialized services to individuals with mental illness residing in nursing facilities will be ten dollars (\$10) per day, per individual being served. Facility eligibility for specialized services program reimbursement is dependent upon the facility meeting all criteria specified in subsections (c)(1), (2) and (3).

(Source: Emergency rule added at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days)

Section 147.350 Reimbursement for Program Costs in Nursing Facilities Providing Active Treatment for Individuals with Developmental Disabilities

a) Nursing facilities (ICF and SNF) providing active treatment to individuals with developmental disabilities, excluding state operated facilities for the developmentally disabled, will be reimbursed for providing an active treatment program for each client with developmental disabilities as specified in 89 Ill. Adm. Code 144.50 through 144.250

b) Beginning February 1, 1990, facility reimbursement for providing active treatment to individuals with developmental disabilities will be made upon conclusion of resident reviews that are conducted by the state's mental health authority or their contracted agent. Facility reimbursement for providing active treatment services as a result of resident reviews concluded prior to February 1, 1990, will begin with the facility's February billing cycle.

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Section 147.350 Reimbursement for Program Costs in Nursing Facilities Providing Active Treatment for Individuals with Developmental Disabilities (Cont'd)

c) Continued facility reimbursement for active treatment program costs is based upon the presence of three (3) determinants. The three determinants will be confirmed and validated during the Inspection of Care (IOC) conducted by Department survey staff. Confirmation and validation procedures will begin with the next scheduled IOC following facility notification by the Department regarding individuals identified to receive active treatment. These procedures will not be initiated less than ninety (90) days following notification. The three determinants are:

1) Minimum Staffing

A) Direct Services - Facilities must be in compliance with the Health Care Financing Administration's (HCFA) (42 CFR 442.201 or 42 CFR 442.302 (1984)) and the Illinois Department of Public Health's (IDPH) (77 Ill. Adm. Code 300.1230) minimum staffing standards relative to facility type.

B) In addition to meeting the requirements above, the amount of additional direct services staff necessary for delivering adequate active treatment programs for individuals with developmental disabilities assumes a full time equivalent (FTE) staff to client ratio of 1:7.5.

2) Qualified Mental Retardation Professional Services

A) Each individual's active treatment program must be integrated, coordinated and monitored by a Qualified Mental Retardation Professional (QMRP). Any facility required to provide active treatment programs to individuals with developmental disabilities must provide QMRP services at a ratio of one (1) QMRP to thirty (30) individuals being served.

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Reimbursement for Program Costs in Nursing Facilities Providing Active Treatment for Individuals with Developmental Disabilities (Cont'd)

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- B) A Qualified Mental Retardation Professional (QMRP) is a person who has at least one year of experience working directly with persons with mental retardation and is one of the following:
- i) A doctor of medicine or osteopathy;
 - ii) A registered nurse;
 - iii) An individual who holds at least a bachelor's degree in one of the following professional categories: Occupational Therapist; Occupational Therapy Assistant, Physical Therapist, Physical Therapy Assistant, Psychologist, Master's Degree; Social Worker; Speech-Language Pathologist or Audiologist; Recreation Specialist; Registered Dietitian; and Human Services, including but not limited to Sociology, Special Education, Rehabilitation Counseling, and Psychology (42 CFR 483.430(1989)).

3) Assessment and Other Program Services

- A) A comprehensive functional assessment that identifies an individual's needs must be performed as needed to supplement any preliminary evaluations conducted prior to admission to a nursing facility.
- B) A Comprehensive Assessment must include:
 - i) Psychiatric Evaluation completed by a board certified psychiatrist, or when countersigned by a psychiatrist, a physician, a Ph.D. clinical psychologist, a Master Degree Psychiatrist RN, or Licensed Clinical Social Worker (LCSW).

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Reimbursement for Program Costs in Nursing Facilities Providing Active Treatment for Individuals with Developmental Disabilities (Cont'd)

- ii) Psycho-social history completed by a Qualified Social Worker or a QMRP.
- iii) Level of functioning scale completed under the direction of and signed by a Qualified Mental Retardation Professional or a Qualified Social Worker.
- iv) Rehabilitation potential completed under the direction of and signed by a Qualified Mental Retardation Professional or a Qualified Social Worker.
- v) Recreation and leisure activities completed under the direction of the Activity Director or Occupational Therapist.
- vi) Physical examination completed by a physician or by a registered nurse countersigned by a physician.
- vii) Health assessment completed by a registered nurse.
- viii) Discharge potential completed under the direction of and signed by a Qualified Mental Retardation Professional or a Qualified Social Worker.
- ix) Other assessments, as indicated by the individual's needs, which in the IDT's professional judgment, should be performed.
- d) Active Treatment program reimbursement includes other program costs, including program-related supplies, consultants and other items necessary for the delivery of active treatment to clients in accordance with their individual program plans.

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Section 147.350
EMERGENCY

Reimbursement for Program Costs in Nursing Facilities Providing Active Treatment for Individuals with Developmental Disabilities (Cont'd)

- e) Total program add-on reimbursement for delivery of active treatment to individuals with developmental disabilities residing in nursing facilities will be ten dollars (\$10) per day, per individual being served. Facility eligibility for active treatment program reimbursement is dependent upon the facility meeting all criteria specified in subsections (c)(1), (2) and (3).

(Source: Emergency rule added at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part:

The Illinois Formulary for the Drug Product Selection Program

2) Code Citation: 77 Ill. Adm. Code 7903) Section Numbers:Emergency Action:

790.540	Amendment
790.721	Amendment
790.740	Amendment
790.760	New Section
790.788	Amendment
790.830	New Section
790.860	Amendment
790.1460	Amendment
790.1577	Amendment
790.1708	Amendment
790.1719	Amendment
790.1960	New Section
790.2060	Amendment
790.2140	Amendment
790.2155	New Section
790.2180	Amendment
790.2260	Amendment
790.2485	New Section
790.2540	Amendment
790.2605	Amendment
790.2662	New Section
790.2780	Amendment
790.2820	Amendment
790.2860	Amendment
790.2902	Amendment
790.2915	New Section
790.3020	Amendment
790.3220	Amendment
790.3335	Amendment
790.3340	Amendment
790.3437	Amendment
790.3620	Amendment
790.4040	Amendment
790.4140	Amendment
790.4396	Amendment
790.4420	Amendment
790.4460	Amendment
790.4740	Amendment
790.4860	Amendment
790.4940	Amendment

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790.5100 Amendment
790.5140 Amendment
790.5180 Amendment
790.5300 Amendment
790.5320 Amendment
790.5420 Amendment
790.5560 Amendment
790.5620 Amendment
790.5820 Amendment
790.5900 Amendment
790.6180 Amendment
790.6277 Amendment
790.6370 Amendment
790.6450 Amendment
790.6460 Amendment
790.6500 Amendment
790.6540 Amendment
790.6670 Amendment
790.7260 Amendment
790.7265 Amendment
790.7278 Amendment
790.7280 Amendment
790.7340 Amendment
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790.7400 Amendment
790.7500 Amendment
790.7700 Amendment
790.7940 Amendment
790.8020 Amendment
790.8136 Amendment
790.8180 Amendment
790.8248 Amendment
790.8420 Amendment
790.8710 Amendment
790.8980 Amendment
790.9084 Amendment
790.9460 Amendment

4) Statutory Authority:

Implementing and authorized by Section 3.14 of the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1987, ch. 56 1/2, par. 503.14) and Section 25 of the Pharmacy Practice Act (Ill. Rev. Stat. 1987, ch. 111, par. 4145).

- 5) Effective Date of Amendments: June 1, 1990
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable.
- 7) Date Filed in Agency's Principal Office: June 1, 1990
- 8) Reason for Emergency:
The Illinois Food, Drug and Cosmetic Act (ch. 56 1/2, par. 503.14) and the Administrative Procedure Act (ch. 127, par. 1005.02), as amended by Public Act 85-451, specifically authorize the Department to implement this rulemaking pursuant to emergency rulemaking.
- 9) A Complete Description of the Subjects and Issues Involved:
Through this emergency rulemaking, the Illinois Department of Public Health amends various sections of the Illinois Formulary for the Drug Product Selection Program. Several new generic entities have also been concurrently included. These changes have been recommended by the Technical Advisory Council for the Drug Product Selection Program and have been published in the Eleventh Edition, First Supplement of the Illinois Formulary.
This rulemaking will allow consumers and third party fiscal intermediaries (including the Department of Public Aid) to save money when purchasing or reimbursing prescription drug products. Drug purchases made by the Department of Corrections and the Department of Mental Health and Developmental Disabilities may also experience some savings. Pharmacies may have increased sales of generic drug products as approved in the Illinois Formulary.

10) Are there any other Proposed Amendments Pending on this Part? Yes.

Section Numbers	Proposed Action	Ill. Reg. Citation
790.80	Amendment	14 Ill. Reg. 4437
790.500	Amendment	14 Ill. Reg. 4437
790.548	Amendment	14 Ill. Reg. 4437
790.620	Amendment	14 Ill. Reg. 4437
790.740	Amendment	14 Ill. Reg. 4437
790.860	Amendment	14 Ill. Reg. 4437
790.900	Amendment	14 Ill. Reg. 4437
790.1060	Amendment	14 Ill. Reg. 4437
790.1300	Amendment	14 Ill. Reg. 4437
790.1420	Amendment	14 Ill. Reg. 4437
790.1660	Amendment	14 Ill. Reg. 4437
790.1686	Amendment	14 Ill. Reg. 4437

DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

790.1700	Amendment	14	111.	Reg.	4437	790.5140	Amendment	14	111.	Reg.	4437
790.1740	Amendment	14	111.	Reg.	4437	790.5300	Amendment	14	111.	Reg.	4437
790.1858	Amendment	14	111.	Reg.	4437	790.5340	Amendment	14	111.	Reg.	4437
790.1950	New Section	14	111.	Reg.	4437	790.5420	Amendment	14	111.	Reg.	4437
790.2097	Amendment	14	111.	Reg.	4437	790.5500	Amendment	14	111.	Reg.	4437
790.2260	Amendment	14	111.	Reg.	4437	790.5620	Amendment	14	111.	Reg.	4437
790.2380	Amendment	14	111.	Reg.	4437	790.5740	Amendment	14	111.	Reg.	4437
790.2460	Amendment	14	111.	Reg.	4437	790.5820	Amendment	14	111.	Reg.	4437
790.2462	New Section	14	111.	Reg.	4437	790.5860	Amendment	14	111.	Reg.	4437
790.2500	Amendment	14	111.	Reg.	4437	790.5872	Amendment	14	111.	Reg.	4437
790.2540	Amendment	14	111.	Reg.	4437	790.5900	Amendment	14	111.	Reg.	4437
790.2580	Amendment	14	111.	Reg.	4437	790.5940	Amendment	14	111.	Reg.	4437
790.2603	Amendment	14	111.	Reg.	4437	790.6140	Amendment	14	111.	Reg.	4437
790.2614	Amendment	14	111.	Reg.	4437	790.6180	Amendment	14	111.	Reg.	4437
790.2618	Amendment	14	111.	Reg.	4437	790.6570	Amendment	14	111.	Reg.	4437
790.2661	New Section	14	111.	Reg.	4437	790.6580	Amendment	14	111.	Reg.	4437
790.2662	New Section	14	111.	Reg.	4437	790.6620	Amendment	14	111.	Reg.	4437
790.2780	Amendment	14	111.	Reg.	4437	790.6621	Repealer	14	111.	Reg.	4437
790.3025	Amendment	14	111.	Reg.	4437	790.6780	Amendment	14	111.	Reg.	4437
790.3032	Amendment	14	111.	Reg.	4437	790.6820	Amendment	14	111.	Reg.	4437
790.3033	Amendment	14	111.	Reg.	4437	790.6940	Amendment	14	111.	Reg.	4437
790.3049	Amendment	14	111.	Reg.	4437	790.6980	Amendment	14	111.	Reg.	4437
790.3051	Amendment	14	111.	Reg.	4437	790.7100	Amendment	14	111.	Reg.	4437
790.3140	Amendment	14	111.	Reg.	4437	790.7120	Amendment	14	111.	Reg.	4437
790.3300	Amendment	14	111.	Reg.	4437	790.7140	Amendment	14	111.	Reg.	4437
790.3492	Amendment	14	111.	Reg.	4437	790.7160	New Section	14	111.	Reg.	4437
790.3540	Amendment	14	111.	Reg.	4437	790.7180	Amendment	14	111.	Reg.	4437
790.3742	Amendment	14	111.	Reg.	4437	790.7260	Amendment	14	111.	Reg.	4437
790.3910	Amendment	14	111.	Reg.	4437	790.7278	Amendment	14	111.	Reg.	4437
790.3940	Amendment	14	111.	Reg.	4437	790.7280	Amendment	14	111.	Reg.	4437
790.3945	Amendment	14	111.	Reg.	4437	790.7284	Amendment	14	111.	Reg.	4437
790.4060	Amendment	14	111.	Reg.	4437	790.7400	Amendment	14	111.	Reg.	4437
790.4180	Amendment	14	111.	Reg.	4437	790.7500	Amendment	14	111.	Reg.	4437
790.4220	Amendment	14	111.	Reg.	4437	790.7540	Amendment	14	111.	Reg.	4437
790.4384	New Section	14	111.	Reg.	4437	790.7700	Amendment	14	111.	Reg.	4437
790.4396	Amendment	14	111.	Reg.	4437	790.7740	Amendment	14	111.	Reg.	4437
790.4430	Amendment	14	111.	Reg.	4437	790.7820	Amendment	14	111.	Reg.	4437
790.4580	Amendment	14	111.	Reg.	4437	790.7828	Amendment	14	111.	Reg.	4437
790.4660	Amendment	14	111.	Reg.	4437	790.7834	Amendment	14	111.	Reg.	4437
790.4665	Amendment	14	111.	Reg.	4437	790.7860	Amendment	14	111.	Reg.	4437
790.4667	Amendment	14	111.	Reg.	4437	790.8015	Amendment	14	111.	Reg.	4437
790.4670	Amendment	14	111.	Reg.	4437	790.8020	Amendment	14	111.	Reg.	4437
790.4700	Amendment	14	111.	Reg.	4437	790.8060	Amendment	14	111.	Reg.	4437
790.4725	New Section	14	111.	Reg.	4437	790.8136	Amendment	14	111.	Reg.	4437
790.4728	New Section	14	111.	Reg.	4437	790.8232	Amendment	14	111.	Reg.	4437
790.5020	Amendment	14	111.	Reg.	4437	790.8290	Amendment	14	111.	Reg.	4437
790.5060	Amendment	14	111.	Reg.	4437	790.8300	Amendment	14	111.	Reg.	4437

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 790

THE ILLINOIS FORMULARY FOR THE DRUG PRODUCT SELECTION PROGRAM

SUBPART A: GENERAL PROVISIONS

SECTION

790.20 Introduction
790.40 Consideration of Drug Products for Inclusion in the Illinois Formulary
790.60 Additional Criteria
790.80 Quality Listing

EMERGENCY

790.100 Generic Drug Entity Headings
790.120 Comments and Specific Administration Requests for Additional Copies
790.140 Prescription Use of Drug Products
790.160 FDA Drug Product Approval and Recommendation
790.180 Availability of Drug Products;
790.200 Pharmaceutical Equivalence
790.220 Single Source Drug Products Exclusion
790.240 Criteria for Exclusion of Drug Products
790.260 Inclusion of Controlled Substances
790.280 Equivalence of Products Requirements
790.300 Selection of Equivalent Drug Products
790.320 Transfer of Prescription Records

SUBPART B: APPROVED DRUG PRODUCTS FOR
DRUG PRODUCT SELECTION

SECTION

790.420 ACETAMINOPHEN; BUTALBITAL
790.460 ACETAMINOPHEN; BUTALBITAL; CAFFEINE
790.480 ACETAMINOPHEN; CAFFEINE; DIHYDROCODEINE BITARTRATE
790.500 ACETAMINOPHEN; CODEINE PHOSPHATE
EMERGENCY
790.540 ACETAMINOPHEN; HYDROCODONE BITARTRATE
EMERGENCY
790.548 ACETAMINOPHEN; OXYCODONE HYDROCHLORIDE
EMERGENCY
790.580 ACETAMINOPHEN; PROPOXYPHENE HYDROCHLORIDE

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

790.8378 Amendment 14 111. Reg. 4437
790.8460 Amendment 14 111. Reg. 4437
790.8540 Amendment 14 111. Reg. 4437
790.8660 Amendment 14 111. Reg. 4437
790.8700 Amendment 14 111. Reg. 4437
790.8900 Amendment 14 111. Reg. 4437
790.8940 Amendment 14 111. Reg. 4437
790.9020 Amendment 14 111. Reg. 4437
790.9045 Amendment 14 111. Reg. 4437
790.9060 Amendment 14 111. Reg. 4437
790.9084 Amendment 14 111. Reg. 4437
790.9180 Amendment 14 111. Reg. 4437
790.9340 Amendment 14 111. Reg. 4437
790.9380 Amendment 14 111. Reg. 4437
790.9420 Amendment 14 111. Reg. 4437
790.9800 Amendment 14 111. Reg. 4437

There is still an emergency in effect on Sections 790.740, 790.860, 790.2260, 790.2540, 790.2662, 790.2780, 790.4396, 790.5140, 790.5300, 790.5420, 790.5620, 790.5820, 790.5900, 790.6180, 790.7260, 790.7278, 790.7280, 790.7400, 790.7500, 790.7700, 790.8020, 790.8136 and 790.9084 which is not affected by this set of emergency amendments. The emergency amendments appear at 14 111. Reg. 4620, effective March 9, 1990, for a maximum of 150 days. The copies filed in the Administrative Code Unit reflect both emergency rules.

11) Statement of Statewide Policy Objectives:

This rulemaking neither creates nor expands a State mandate.

12) Information and questions regarding this amendment shall be directed to:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor Springfield, Illinois 62761.

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

790.600 ACETAMINOPHEN; PROPOXYPHENE NAPSYLATE
 790.620 ACETAZOLAMIDE
 EMERGENCY
 790.630 ACETAZOLAMIDE SODIUM
 790.660 ACETIC ACID, GLACIAL
 790.700 ACETIC ACID, GLACIAL; HYDROCORTISONE
 790.706 ACETOHEXAMIDE
 790.721 ACETYLCYSTEINE
 EMERGENCY
 790.740 ALBUTEROL SULFATE
 EMERGENCY
 790.756 ALCOHOL; DEXTROSE
 790.760 ALCOHOL; MORPHINE
 EMERGENCY
 790.780 ALLOPURINOL
 790.788 AMANTADINE HYDROCHLORIDE
 EMERGENCY
 790.798 AMLODINE HYDROCHLORIDE
 790.799 AMLODINE HYDROCHLORIDE; HYDROCHLOROTHIAZIDE
 790.815 AMINOACETIC ACID (Repeated)
 790.820 AMINOCAPROIC ACID
 790.830 AMINOHIPPURATE SODIUM
 EMERGENCY
 790.860 AMINOPHYLLINE
 EMERGENCY
 790.900 AMITRIPTYLINE HYDROCHLORIDE
 EMERGENCY
 790.905 AMITRIPTYLINE HYDROCHLORIDE; CHLORDIAZEPOXIDE
 790.910 AMITRIPTYLINE HYDROCHLORIDE; PERPHENAZINE
 790.920 AMOXAPINE
 790.940 AMOXICILLIN TRIHYDRATE
 790.974 AMPHOTERICIN B
 790.980 AMPICILLIN SODIUM
 790.1020 AMPICILLIN; PROBENECID
 790.1060 AMPICILLIN/AMPICILLIN TRIHYDRATE
 EMERGENCY
 790.1100 ANISOTROPINE METHYLBROMIDE (Repeated)
 790.1120 ASCORBIC ACID; BIOTIN; CYANOCOBALAMIN; DEXPANTHENOL;
 ERGOCALCIFEROL; FOLIC ACID; NIACINAMIDE; PYRIDOXINE
 HYDROCHLORIDE; RIBOFLAVIN PHOSPHATE SODIUM; THIAMINE
 HYDROCHLORIDE; VITAMIN A; VITAMIN E
 ASCORBIC ACID; CYANOCOBALAMIN; FLUORIDE; IRON; NICOTINIC ACID;
 PYRIDOXINE HYDROCHLORIDE; RIBOFLAVIN; THIAMINE HYDROCHLORIDE;
 VITAMIN A; VITAMIN D; VITAMIN E
 790.1125 ASCORBIC ACID; CYANOCOBALAMIN; FLUORIDE; NICOTINIC ACID;
 PYRIDOXINE HYDROCHLORIDE; RIBOFLAVIN; THIAMINE HYDROCHLORIDE;
 VITAMIN A; VITAMIN D; VITAMIN E

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

790.1129 ASCORBIC ACID; FLUORIDE; IRON; VITAMIN A; VITAMIN D
 790.1131 ASCORBIC ACID; FLUORIDE; VITAMIN A; VITAMIN D
 790.1140 ASPIRIN; BUTALBITAL; CAFFEINE
 790.1180 ASPIRIN; BUTALBITAL; CAFFEINE; PHENACETIN (Repeated)
 790.1200 ASPIRIN; CAFFEINE; ORPHENADRINE CITRATE
 790.1220 ASPIRIN; CAFFEINE; PHENACETIN; PROPOXYPHENE HYDROCHLORIDE
 (Repeated)
 790.1260 ASPIRIN; CAFFEINE; PHENACETIN; PROPOXYPHENE HYDROCHLORIDE
 (Repeated)
 790.1300 ASPIRIN; CAFFEINE; PROPOXYPHENE HYDROCHLORIDE
 EMERGENCY
 790.1345 ASPIRIN; CARISOPRODOL
 790.1360 ASPIRIN; MEPROBAMATE
 790.1380 ASPIRIN; METHOCARBAMOL
 790.1386 ASPIRIN; OXYCODONE HYDROCHLORIDE; OXYCODONE TEREPHTHALATE
 790.1418 ATROPINE
 790.1420 ATROPINE SULFATE; DIPHENOXYLATE HYDROCHLORIDE
 EMERGENCY
 790.1423 ATROPINE SULFATE; HYOSCYAMINE; PHENOBARBITAL; SCOPOLAMINE
 HYDROBROMIDE
 790.1425 ATROPINE SULFATE; MEPERIDINE HYDROCHLORIDE
 790.1440 AZATHIOPRINE SODIUM
 790.1460 BACITRACIN
 EMERGENCY
 790.1490 BACITRACIN ZINC; HYDROCORTISONE; NEOMYCIN SULFATE; POLYMYXIN B
 SULFATE
 790.1500 BACITRACIN ZINC; NEOMYCIN SULFATE; POLYMYXIN B SULFATE
 790.1540 BACITRACIN ZINC; POLYMYXIN B SULFATE
 790.1560 BACLOFEN
 790.1570 BENZTROPINE MESYLATE
 790.1577 BETAMETHASONE DIPROPIONATE
 EMERGENCY
 790.1580 BETAMETHASONE SODIUM PHOSPHATE
 790.1620 BETAMETHASONE VALERATE
 790.1660 BETHANECHOL CHLORIDE
 EMERGENCY
 790.1685 BRETILIUM TOSYLATE
 790.1686 BRETILIUM TOSYLATE; DEXTROSE
 EMERGENCY
 790.1697 BROMODIPHENHYDRAMINE HYDROCHLORIDE; CODEINE PHOSPHATE
 790.1700 BROMPHENIRAMINE MALEATE
 EMERGENCY
 790.1706 BROMPHENIRAMINE MALEATE; CODEINE PHOSPHATE;
 PHENYLPROPANOLAMINE HYDROCHLORIDE
 790.1708 BROMPHENIRAMINE MALEATE; DEXTROMETHORPHAN HYDROBROMIDE;
 PSEUDOEPHEDRINE HYDROCHLORIDE
 EMERGENCY
 790.1710 BROMPHENIRAMINE MALEATE; PHENYLPROPANOLAMINE HYDROCHLORIDE

790.1719
EMERGENCY
790.1721
790.1740
EMERGENCY
790.1780
790.1820
790.1842

790.1846
790.1848

790.1856
790.1858
EMERGENCY
790.1860
790.1900
790.1930
790.1940
790.1960
EMERGENCY
790.1980
790.2020
790.2060
EMERGENCY
790.2084
790.2092
790.2097
EMERGENCY
790.2100
790.2130
790.2140
EMERGENCY
790.2155
EMERGENCY
790.2180
EMERGENCY
790.2220
790.2260
EMERGENCY
790.2300
790.2340
790.2380
EMERGENCY
790.2390
790.2420

BUPIVACINE HYDROCHLORIDE

BUPIVACINE HYDROCHLORIDE; EPINEPHRINE BITARTRATE
BUTABARBITAL SODIUM

CAFFEINE; CARISOPRODOL; PHENACETIN (Repealed)
CAFFEINE; ERGOTAMINE TARTRATE
CALCIUM CHLORIDE; DEXTROSE; MAGNESIUM CHLORIDE; SODIUM
CHLORIDE; SODIUM LACTATE
CALCIUM CHLORIDE; DEXTROSE; POTASSIUM CHLORIDE; SODIUM CHLORIDE
CALCIUM CHLORIDE; DEXTROSE; POTASSIUM CHLORIDE; SODIUM
CHLORIDE; SODIUM LACTATE
CALCIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM CHLORIDE
CALCIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM CHLORIDE; SODIUM
LACTATE
CALCIUM GLUCEPATE
CANDICIDIN (Repealed)
CARBAMAZEPINE
CARBENICILLIN DISODIUM
CARBINOXAMINE MALEATE; PSEUDOEPHEDRINE HYDROCHLORIDE

CARISOPRODOL
CEFADROXIL MONOHYDRATE
CEFAZOLIN SODIUM

CEFTAZIDIME
CEFUROXIME SODIUM
CEPHALEXIN

CEPHALOTHIN SODIUM
CEPHAPIRIN SODIUM
CEPHRADINE/CEPHRADINE DIHYDRATE

CHLORAL HYDRATE
CHLORAMPHENICOL

CHLORAMPHENICOL SODIUM SUCCINATE
CHLORDIAZEPOXIDE HYDROCHLORIDE

CHLORMEZANONE (Repealed)
CHLOROQUINE PHOSPHATE
CHLOROTHIAZIDE

CHLOROTHIAZIDE; METHYLDOPA
CHLOROTRIANISENE

790.2460
EMERGENCY
790.2465

790.2470
790.2485
EMERGENCY
790.2500
EMERGENCY
790.2510
790.2540
EMERGENCY
790.2555
790.2580
EMERGENCY
790.2583
790.2595
790.2603
EMERGENCY
790.2605
EMERGENCY
790.2613
790.2614
EMERGENCY
790.2617
790.2618
EMERGENCY
790.2620
790.2660
790.2662
EMERGENCY
790.2663

790.2668
790.2672

790.2700
790.2740
790.2780
EMERGENCY
790.2800
790.2805
790.2820
EMERGENCY
790.2860
EMERGENCY
790.2900

CHLORPHENIRAMINE MALEATE

CHLORPHENIRAMINE MALEATE; PHENYLEPHRINE HYDROCHLORIDE;
PHENYLPROPANOLAMINE HYDROCHLORIDE; PHENYLTOLOXAMINE CITRATE
CHLORPHENIRAMINE MALEATE; PHENYLPROPANOLAMINE HYDROCHLORIDE
CHLORPHENIRAMINE TANNATE; PHENYLEPHRINE TANNATE; PYRILAMINE
TANNATE
CHLORPROMAZINE HYDROCHLORIDE

CHLORPROPAMIDE
CHLORTHALIDONE

CHLORTHALIDONE; CLONIDINE HYDROCHLORIDE
CHLORZOXAZONE

CHROMIC CHLORIDE
CITRIC ACID; MAGNESIUM OXIDE; SODIUM CARBONATE
CLINDAMYCIN HYDROCHLORIDE

CLINDAMYCIN PHOSPHATE

CLOFIBRATE
CLOMIPHENE CITRATE

CLONIDINE HYDROCHLORIDE
CLORAZEPATE DIPOTASSIUM

CLOTIRIMAZOLE
CLOXACILLIN SODIUM MONOHYDRATE
CODEINE PHOSPHATE; IODINATED GLYCEROL

CODEINE PHOSPHATE; PHENYLEPHRINE HYDROCHLORIDE;
PROMETHAZINE HYDROCHLORIDE
CODEINE PHOSPHATE; PROMETHAZINE HYDROCHLORIDE
CODEINE PHOSPHATE; PSEUDOEPHEDRINE HYDROCHLORIDE;
TRIPROLIDINE HYDROCHLORIDE
CORTICOTROPIN
CROTAMITON
CYANOCOBALAMIN

CYCLACILLIN
CYCLOBENZAPRINE HYDROCHLORIDE
CYCLOPENTOLATE HYDROCHLORIDE
CYCLOPHOSPHAMIDE

CYPROHEPTADINE HYDROCHLORIDE

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

CYTARABINE
 DACARBAZINE
 DANAZOL
 DAUNORUBICIN HYDROCHLORIDE
 DESIPRAMINE HYDROCHLORIDE (Repealed)
 DESONIDE
 DEXAMETHASONE
 DEXAMETHASONE; NEOMYCIN SULFATE; POLYMYXIN B SULFATE
 DEXAMETHASONE SODIUM PHOSPHATE
 DEXAMETHASONE SODIUM PHOSPHATE; NEOMYCIN SULFATE
 DEXTROMETHORPHAN HYDROBROMIDE; IODINATED GLYCEROL
 DEXTROMETHORPHAN HYDROBROMIDE; PROMETHAZINE HYDROCHLORIDE
 DEXTROSE
 DEXTROSE; DOPAMINE HYDROCHLORIDE
 DEXTROSE; HEPARIN SODIUM
 DEXTROSE; LIDOCAINE HYDROCHLORIDE
 DEXTROSE; MAGNESIUM CHLORIDE; POTASSIUM CHLORIDE;
 SODIUM ACETATE; SODIUM CHLORIDE; SODIUM GLUCONATE
 DEXTROSE; POTASSIUM CHLORIDE
 DEXTROSE; POTASSIUM CHLORIDE; SODIUM CHLORIDE
 DEXTROSE; SODIUM CHLORIDE
 DEXTROSE; THEOPHYLLINE
 DIAZEPAM
 DIAZOXIDE
 DICLOXACILLIN SODIUM
 DICLOXIMINE HYDROCHLORIDE
 DIENESTROL
 DIETHYLPROPION HYDROCHLORIDE
 DIETHYLSTILBESTROL
 DIGOXIN
 DIMENHYDRINATE
 DIPHENHYDRAMINE HYDROCHLORIDE
 DISOPYRAMIDE PHOSPHATE

790.2902
 EMERGENCY
 790.2904
 790.2908
 790.2915
 EMERGENCY
 790.2928
 790.2932
 790.2940
 790.2980
 790.3020
 EMERGENCY
 790.3021
 790.3023
 790.3025
 EMERGENCY
 790.3027
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 EMERGENCY
 790.3033
 EMERGENCY
 790.3038
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 790.3048
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 EMERGENCY
 790.3051
 EMERGENCY
 790.3054
 790.3056
 790.3060
 790.3085
 790.3100
 790.3140
 EMERGENCY
 790.3180
 790.3220
 EMERGENCY
 790.3260
 790.3300
 EMERGENCY
 790.3315

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

DOPAMINE HYDROCHLORIDE
 DOXEPIN HYDROCHLORIDE
 DOXORUBICIN HYDROCHLORIDE
 DOXYCYCLINE
 DOXYCYCLINE HYCLATE
 DOXYLAMINE SUCCINATE
 DROPERIDOL
 DROPERIDOL; FENTANYL CITRATE
 ECHOTHIOPHATE IODIDE (Repealed)
 EDETATE DISODIUM
 EDROPHONIUM CHLORIDE
 EPINEPHRINE; LIDOCAINE HYDROCHLORIDE
 ERGOCALCIFEROL
 ERGOLOID MESYLATES
 ERGOTAMINE TARTRATE
 ERYTHROMYCIN
 ERYTHROMYCIN ESTOLATE
 ERYTHROMYCIN ETHYLSUCCINATE
 ERYTHROMYCIN LACTOBIONATE
 ERYTHROMYCIN STEARATE
 ERYTHROMYCIN STEARATE
 ESTRADIOL CYPIONATE
 ESTRADIOL CYPIONATE; TESTOSTERONE CYPIONATE
 ESTRADIOL VALERATE
 ESTRADIOL VALERATE; TESTOSTERONE ENANTHATE
 ETHCHLORVYNOL
 ETHINYL ESTRADIOL; NORETHINDRONE
 FENOPROFEN CALCIUM
 FLOXURIDINE
 FLUOCINOLONE ACETONIDE
 FLUOCINONIDE
 FLUOROMETHOLONE
 FLUOROURACIL
 FLUPHENAZINE DECAONATE
 FLUPHENAZINE HYDROCHLORIDE
 FLURANDRENOLIDE

790.3335
 EMERGENCY
 790.3340
 EMERGENCY
 790.3350
 790.3380
 790.3420
 790.3425
 790.3437
 EMERGENCY
 790.3440
 790.3460
 790.3472
 790.3475
 790.3492
 EMERGENCY
 790.3500
 790.3540
 EMERGENCY
 790.3580
 790.3620
 EMERGENCY
 790.3650
 790.3700
 790.3720
 790.3730
 790.3740
 790.3742
 EMERGENCY
 790.3780
 790.3800
 790.3820
 790.3860
 790.3900
 790.3907
 790.3910
 EMERGENCY
 790.3920
 790.3940
 EMERGENCY
 790.3945
 EMERGENCY
 790.3960
 790.3980
 790.3996
 790.4012
 790.4020

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790.4780	HYDROCORTISONE; NEOMYCIN SULFATE; POLYMYXIN B SULFATE
790.4820	HYDROCORTISONE; POLYMYXIN B SULFATE
790.4840	HYDROCORTISONE SODIUM PHOSPHATE
790.4860	HYDROCORTISONE; UREA
790.4900	HYDROCORTISONE ACETATE
790.4940	HYDROCORTISONE ACETATE; NEOMYCIN SULFATE
790.4960	HYDROCORTISONE ACETATE; PRAMOXINE HYDROCHLORIDE
790.4963	HYDROCORTISONE ACETATE; UREA
790.4965	HYDROCORTISONE BUTYRATE
790.4980	HYDROCORTISONE SODIUM SUCCINATE
790.5020	HYDROFLUMETHIAZIDE
790.5060	HYDROXOCOBALAMIN
790.5100	HYDROXYPROGESTERONE CAPROATE
790.5140	HYDROXYZINE HYDROCHLORIDE
790.5180	HYDROXYZINE PAMOATE
790.5220	IBUPROFEN
790.5260	IOXURIDINE
790.5300	IMIPRAMINE HYDROCHLORIDE
790.5320	INDOMETHACIN
790.5340	IODINATED GLYCEROL
790.5380	IRON DEXTRAN COMPLEX
790.5420	ISOETHARINE HYDROCHLORIDE
790.5460	ISONIAZID
790.5483	ISOPROTERENOL HYDROCHLORIDE
790.5500	ISOSORBIDE DINITRATE
790.5520	KANAMYCIN SULFATE
790.5530	KETAMINE HYDROCHLORIDE
790.5540	LABELTALOL HYDROCHLORIDE
790.5544	LACTULOSE
790.5555	LEVOCARNITINE
790.5560	LEVONORDEFRIN; MEPIVICAINE HYDROCHLORIDE
790.5580	LIDOCAINE

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790.4780	HYDROCORTISONE; NEOMYCIN SULFATE; POLYMYXIN B SULFATE
790.4820	HYDROCORTISONE; POLYMYXIN B SULFATE
790.4840	HYDROCORTISONE SODIUM PHOSPHATE
790.4860	HYDROCORTISONE; UREA
790.4900	HYDROCORTISONE ACETATE
790.4940	HYDROCORTISONE ACETATE; NEOMYCIN SULFATE
790.4960	HYDROCORTISONE ACETATE; PRAMOXINE HYDROCHLORIDE
790.4963	HYDROCORTISONE ACETATE; UREA
790.4965	HYDROCORTISONE BUTYRATE
790.4980	HYDROCORTISONE SODIUM SUCCINATE
790.5020	HYDROFLUMETHIAZIDE
790.5060	HYDROXOCOBALAMIN
790.5100	HYDROXYPROGESTERONE CAPROATE
790.5140	HYDROXYZINE HYDROCHLORIDE
790.5180	HYDROXYZINE PAMOATE
790.5220	IBUPROFEN
790.5260	IOXURIDINE
790.5300	IMIPRAMINE HYDROCHLORIDE
790.5320	INDOMETHACIN
790.5340	IODINATED GLYCEROL
790.5380	IRON DEXTRAN COMPLEX
790.5420	ISOETHARINE HYDROCHLORIDE
790.5460	ISONIAZID
790.5483	ISOPROTERENOL HYDROCHLORIDE
790.5500	ISOSORBIDE DINITRATE
790.5520	KANAMYCIN SULFATE
790.5530	KETAMINE HYDROCHLORIDE
790.5540	LABELTALOL HYDROCHLORIDE
790.5544	LACTULOSE
790.5555	LEVOCARNITINE
790.5560	LEVONORDEFRIN; MEPIVICAINE HYDROCHLORIDE
790.5580	LIDOCAINE

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790.5620 LIDOCAINE HYDROCHLORIDE
 EMERGENCY
 790.5640 LINCOMYCIN
 790.5660 LINDANE
 790.5700 LIOTHYRONINE SODIUM
 790.5720 LISINAPRIL
 790.5740 LITHIUM CARBONATE
 EMERGENCY
 790.5780 LITHIUM CITRATE
 790.5792 LORAZEPAM
 790.5795 LOXAPINE SUCCINATE
 790.5800 MAGNESIUM CHLORIDE; POTASSIUM CHLORIDE; SODIUM ACETATE;
 SODIUM CHLORIDE; SODIUM GLUCONATE
 790.5802 MANNITOL
 790.5807 MAPROTILINE HYDROCHLORIDE
 790.5820 MECLIZINE HYDROCHLORIDE
 EMERGENCY
 790.5830 MECLIZENAMATE SODIUM
 790.5835 MEDROXYPROGESTERONE ACETATE
 790.5837 MEFENAMIC ACID (Repealed)
 790.5840 MEGESTROL ACETATE
 790.5860 MENADIOL SODIUM PHOSPHATE
 EMERGENCY
 790.5872 MEPERIDINE HYDROCHLORIDE
 EMERGENCY
 790.5893 MEP IVICATINE HYDROCHLORIDE
 790.5900 MEPROBAMATE
 EMERGENCY
 790.5924 MESTRANOL; NORETHINDRONE
 790.5940 METAPROTENOL SULFATE
 EMERGENCY
 790.5980 METARAMINOL BITARTRATE
 790.5992 METHADONE HYDROCHLORIDE
 790.5996 METHAMPHETAMINE HYDROCHLORIDE
 790.6020 METHOILAZINE HYDROCHLORIDE
 790.6060 METHENAMINE HIPPUATE
 790.6100 METHICILLIN SODIUM
 790.6140 METHOCARBAMOL
 EMERGENCY
 790.6180 METHOTREXATE SODIUM
 EMERGENCY
 790.6220 METHSCOPOLAMINE BROMIDE
 790.6260 METHYLCLOTHIAZIDE
 790.6275 METHYLOOPA
 790.6277 METHYLDOPATE HYDROCHLORIDE
 EMERGENCY
 790.6280 METHYLPHENIDATE HYDROCHLORIDE

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790.6284 METHYLPREDNISOLONE
 790.6300 METHYLPREDNISOLONE SODIUM SUCCINATE
 790.6340 METHYLTESTOSTERONE
 790.6370 METOCLOPRAMIDE HYDROCHLORIDE
 EMERGENCY
 790.6375 METOCURINE IODIDE
 790.6380 METOLAZONE
 790.6420 METRONIDAZOLE
 790.6435 MINOXIDIL
 790.6445 MORPHINE SULFATE
 790.6450 NAFICILLIN SODIUM
 EMERGENCY
 790.6452 NALBUPHINE HYDROCHLORIDE
 790.6454 NALIDIXIC ACID
 790.6456 NALOXONE HYDROCHLORIDE
 790.6460 NANDROLONE DECANOATE
 EMERGENCY
 790.6480 NANDROLONE PHENPROPIONATE
 790.6500 NAPHAZOLINE HYDROCHLORIDE
 EMERGENCY
 790.6540 NEOMYCIN SULFATE
 EMERGENCY
 790.6544 NEOMYCIN SULFATE; POLYMYXIN B SULFATE
 790.6570 NEOMYCIN SULFATE; TRIAMCINOLONE ACETONIDE
 790.6580 NIACIN
 EMERGENCY
 790.6610 NIFEDIPINE
 790.6620 NITROFURANTOIN
 EMERGENCY
 790.6621 NITROFURANTOIN MACROCRYSTALS (Repealed)
 EMERGENCY
 790.6660 NITROFURAZONE
 790.6670 NITROGLYCERIN INJECTION
 EMERGENCY
 790.6700 NORETHINDRONE ACETATE
 790.6740 NORTRIPTYLINE HYDROCHLORIDE
 790.6780 NYSTATIN
 EMERGENCY
 790.6800 NYSTATIN; TRIAMCINOLONE ACETONIDE
 790.6820 ORPHENADRINE CITRATE
 EMERGENCY
 790.6860 OXACILLIN SODIUM
 790.6875 OXAZEPAM
 790.6885 OXTRIPHYLLINE
 790.6895 OXYBUTYRIN
 790.6900 OXYPHENBUTAZONE (Repealed)

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790.6940 OXYTETRACYCLINE HYDROCHLORIDE
 EMERGENCY
 790.6946 OXYTOCIN
 790.6960 PANCURONIUM BROMIDE
 790.6980 PENICILLIN G POTASSIUM
 EMERGENCY
 790.7020 PENICILLIN G PROCAINE
 790.7060 PENICILLIN G SODIUM (Repealed)
 790.7100 PENICILLIN V POTASSIUM
 EMERGENCY
 790.7120 PENTOBARBITAL SODIUM
 EMERGENCY
 790.7130 PERPHENAZINE
 790.7140 PHENDIMETRAZINE TARTRATE
 EMERGENCY
 790.7180 PHENTERMINE HYDROCHLORIDE
 EMERGENCY
 790.7181 PHENTERMINE RESIN COMPLEX
 790.7220 PHENYLBUTAZONE (Repealed)
 790.7223 PHENYLEPHRINE HYDROCHLORIDE; PROMETHAZINE HYDROCHLORIDE
 790.7229 PHENYTOIN SODIUM INJECTION
 790.7260 PIPERAZINE CITRATE
 EMERGENCY
 790.7265 POLYETHYLENE GLYCOL 3350; POTASSIUM CHLORIDE; SODIUM
 EMERGENCY BICARBONATE; SODIUM CHLORIDE; SODIUM SULFATE, ANHYDROUS
 790.7272 POLYMYXIN B SULFATE
 790.7278 POTASSIUM BICARBONATE
 EMERGENCY
 790.7280 POTASSIUM CHLORIDE
 EMERGENCY
 790.7284 POTASSIUM CHLORIDE; SODIUM CHLORIDE
 EMERGENCY
 790.7288 POTASSIUM GLUCONATE
 790.7291 PRALIDOXIME CHLORIDE
 790.7294 PRAZEPAM
 790.7296 PRAZOSIN HYDROCHLORIDE
 790.7300 PREDNISOLONE ACETATE
 790.7340 PREDNISOLONE ACETATE; SULFACETAMIDE SODIUM
 EMERGENCY
 790.7380 PREDNISOLONE SODIUM PHOSPHATE
 EMERGENCY
 790.7400 PREDNISON
 EMERGENCY
 790.7420 PRIMIDONE
 790.7460 PROBENECID
 790.7500 PROCAINAMIDE HYDROCHLORIDE
 EMERGENCY

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790.7510 PROCAINE HYDROCHLORIDE
 790.7540 PROCHLORPERAZINE EDISYLATE
 EMERGENCY
 790.7580 PROCHLORPERAZINE MALEATE
 790.7620 PROGESTERONE
 790.7660 PROMAZINE HYDROCHLORIDE
 790.7700 PROMETHAZINE HYDROCHLORIDE
 EMERGENCY
 790.7740 PROPANTHELIN BROMIDE
 EMERGENCY
 790.7780 PROPARACAINE HYDROCHLORIDE
 790.7820 PROPOXYPHENE HYDROCHLORIDE
 EMERGENCY
 790.7828 PROPANOLOL HYDROCHLORIDE
 EMERGENCY
 790.7834 PROTAMINE SULFATE
 EMERGENCY
 790.7860 PSEUDOEPHEDRINE HYDROCHLORIDE; TRIPROLIDINE HYDROCHLORIDE
 EMERGENCY
 790.7900 PYRIDOSTIGMINE BROMIDE
 790.7940 PYRIDOXINE HYDROCHLORIDE
 EMERGENCY
 790.7980 PYRILAMINE MALEATE
 790.8015 QUINIDINE GLUCONATE
 EMERGENCY
 790.8020 QUINIDINE SULFATE
 EMERGENCY
 790.8060 RESERPINE
 EMERGENCY
 790.8100 RIFAMPIN
 790.8106 RITODRINE HYDROCHLORIDE
 790.8136 SECOBARBITAL SODIUM
 EMERGENCY
 790.8140 SILENIUM SULFIDE
 790.8180 SILVER SULFADIAZINE
 EMERGENCY
 790.8220 SODIUM AMINOSALICYLATE
 790.8232 SODIUM CHLORIDE
 EMERGENCY
 790.8244 SODIUM LACTATE
 790.8248 SODIUM NITROPRUSSIDE (Repeated)
 EMERGENCY
 790.8260 SODIUM POLYSTYRENE SULFONATE
 790.8290 SOYBEAN OIL
 790.8300 SPIRONOLACTONE
 EMERGENCY

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790.8340 STREPTOMYCIN SULFATE
790.8378 SULFABENZAMIDE; SULFACETAMIDE; SULFATHIAZOLE
EMERGENCY
790.8380 SULFABENZAMIDE; SULFACETAMIDE; SULFATHIAZOLE; UREA
790.8420 SULFACETAMIDE SODIUM
EMERGENCY
790.8460 SULFADIAZINE
EMERGENCY
790.8500 SULFAMETHIZOLE
790.8540 SULFAMETHOXAZOLE
EMERGENCY
790.8580 SULFAMETHOXAZOLE; TRIMETHOPRIM
790.8590 SULFANILAMIDE
790.8620 SULFASALAZINE
790.8660 SULFINPYRAZONE
EMERGENCY
790.8700 SULFISOXAZOLE
EMERGENCY
790.8710 SULINDAC
EMERGENCY
790.8724 TEMAZEPAM
790.8727 TERBUTALINE SULFATE
790.8740 TESTOSTERONE CYPIONATE
790.8780 TESTOSTERONE ENANTHATE
790.8820 TESTOSTERONE PROPIONATE
790.8860 TETRACYCLINE
790.8900 TETRACYCLINE HYDROCHLORIDE
EMERGENCY
790.8940 THEOPHYLLINE
EMERGENCY
790.8980 THIAMINE HYDROCHLORIDE
EMERGENCY
790.9020 THIORIDAZINE HYDROCHLORIDE
EMERGENCY
790.9035 THIOXIXENE
790.9045 THIOXIXENE HYDROCHLORIDE
EMERGENCY
790.9048 TIMOLOL MALEATE
790.9050 TOBRAMYCIN SULFATE
790.9056 TOLAZAMIDE
790.9060 TOLBUTAMIDE
EMERGENCY
790.9084 TRAZODONE HYDROCHLORIDE
EMERGENCY
790.9100 TRIANICOLONE ACETONIDE
790.9140 TRIFLUOPERAZINE HYDROCHLORIDE
790.9180 TRIHEXYPHENIDYL HYDROCHLORIDE
EMERGENCY

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790.9220 TRIMEPAZINE TARTRATE
790.9260 TRIMETHOBENZAMIDE HYDROCHLORIDE
790.9300 TRIMETHOPRIM
790.9320 TRIMIPRAMINE MALEATE
790.9340 TRIPELENNAMINE HYDROCHLORIDE
EMERGENCY
790.9380 TRIPROLIDINE HYDROCHLORIDE
EMERGENCY
790.9420 TRISULFAPYRIMIDINE
EMERGENCY
790.9460 TROPICAMIDE
EMERGENCY
790.9475 VALPROATE SODIUM
790.9478 VALPROIC ACID
790.9486 VANCAMYCIN HYDROCHLORIDE
790.9500 VERAPAMIL HYDROCHLORIDE
790.9520 VINBLASTINE SULFATE
790.9530 VINCRISTINE SULFATE
790.9540 VITAMIN A
790.9580 VITAMIN A PALMITATE
790.9620 WATER FOR INJECTION, STERILE
790.9660 WATER FOR IRRIGATION, STERILE
790.9800 XYLOSE
EMERGENCY

AUTHORITY: Implementing and authorized by Section 3.14 of the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1987, ch. 56 1/2, par. 503.14) and Section 25 of the Pharmacy Practice Act (Ill. Rev. Stat. 1987, ch. 111, par. 4145).

SOURCE: Emergency amendment at 2 Ill. Reg. 18, p. 47, effective April 26, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 26, p. 150, effective July 1, 1978; emergency amendment at 2 Ill. Reg. 40, p. 98, effective October 1, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 51, p. 48, effective December 18, 1978; emergency amendment at 3 Ill. Reg. 2, p. 18, effective December 31, 1978, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 15, p. 147, effective April 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 27, p. 113, effective July 1, 1979; emergency amendment at 3 Ill. Reg. 32, p. 158, effective August 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 41, p. 178, effective October 12, 1980; emergency amendment at 4 Ill. Reg. 51, p. 147, effective December 18, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 3466, effective March 25, 1981; amended at 5 Ill. Reg. 7107, effective June 24, 1981; amended at 5 Ill. Reg. 9120, effective October 1, 1981; amended at 5 Ill. Reg. 14605, effective February 1, 1982; amended at 6 Ill. Reg. 6750, effective July 1, 1982; amended at 6 Ill. Reg. 11558, effective September 15, 1982; amended at 6 Ill. Reg. 15195, effective December 15, 1982; amended at 7 Ill. Reg. 7110,

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effective July 1, 1983; amended at 7 I11. Reg. 13270, effective October 1, 1983; amended at 7 I11. Reg. 16924, effective January 1, 1984; amended at 8 I11. Reg. 2162, effective March 1, 1984; amended at 8 I11. Reg. 8513, effective July 1, 1984; codified at 8 I11. Reg. 13402; amended at 8 I11. Reg. 22108, effective November 1, 1984; amended at 9 I11. Reg. 4071, effective April 1, 1985; amended at 9 I11. Reg. 6816, effective May 1, 1985; amended at 10 I11. Reg. 8814, effective January 1, 1986; amended at 10 I11. Reg. 8814, effective February 23, 1987; amended at 11 I11. Reg. 3565, effective February 23, 1987; amended at 11 I11. Reg. 9223, effective May 15, 1987; amended at 11 I11. Reg. 14382, effective August 15, 1987; amended at 12 I11. Reg. 1823, effective January 1, 1988; emergency amendment at 12 I11. Reg. 1984, effective January 1, 1988, for a maximum of 150 days; emergency amendment at 12 I11. Reg. 7743, effective April 15, 1988, for a maximum of 150 days; amended at 12 I11. Reg. 9153, effective May 13, 1988; amended 12 I11. Reg. 10133, effective May 31, 1988, emergency amendment at 12 I11. Reg. 10745, effective June 2, 1988, for a maximum of 150 days; amended at 12 I11. Reg. 12846, effective July 29, 1988; emergency amendment at 12 I11. Reg. 13255, effective August 5, 1988, for a maximum of 150 days, emergency expired January 2, 1989; amended at 12 I11. Reg. 15101, effective September 16, 1988; emergency amendment at 12 I11. Reg. 16937, effective October 7, 1988, for a maximum of 150 days; amended at 13 I11. Reg. 856, effective January 6, 1989; emergency amendment at 13 I11. Reg. 3108, effective February 28, 1989, for a maximum of 150 days; amended at 13 I11. Reg. 8890, effective May 26, 1989, and January 1, 1990; amended at 13 I11. Reg. 11717, effective July 14, 1989; corrected at 13 I11. Reg. 12909; emergency amendment at 13 I11. Reg. 12990, effective August 1, 1989, for a maximum of 150 days; corrected at 13 I11. Reg. 14477; emergency amendment at 13 I11. Reg. 17101, effective October 13, 1989, for a maximum of 150 days; amended at 13 I11. Reg. 19770, effective December 8, 1989; emergency amendment at 14 I11. Reg. 1505, effective January 12, 1990, for a maximum of 150 days; amended at 14 I11. Reg. 3184, effective February 16, 1990; emergency amendment at 14 I11. Reg. 4620, effective March 9, 1990, for a maximum of 150 days; amended at 14 I11. Reg. 8154, effective May 11, 1990; emergency amendment at 14 I11. Reg. 9556, effective June 1, 1990, for a maximum of 150 days.

AGENCY NOTE: The text of Sections 790.740, 790.860, 790.2260, 790.2540, 790.2662, 790.2780, 790.4396, 790.5140, 790.5300, 790.5420, 790.5620, 790.5820, 790.5900, 790.6180, 790.7260, 790.7278, 790.7280, 790.7400, 790.7500, 790.7700, 790.8020, 790.8136 and 790.9084 which appear below do not include the emergency amendments adopted at 14 111. Reg. 4620, effective March 9, 1990, for a maximum of 150 days. The copies filed with the Administrative Code Unit reflect both emergency rules.

SUBPART B: APPROVED DRUG PRODUCTS FOR DRUG PRODUCT SELECTION

Section 790.540 ACETAMINOPHEN; HYDROCODONE BITARTRATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	MANUFACTURER
Acetaminophen; Hydrocodone Bitartrate	cap 500mg;5mg	Central
	cap 500mg;5mg	DM Graham
	cap 500mg;5mg	Mikart
	tab 500mg;5mg	Barr
	tab 500mg;5mg	Charlotte Pharm
	tab 500mg;5mg	DM Graham
	tab 500mg;5mg	Halsey
	tab 500mg;5mg	LuChem
	tab 500mg;5mg	Mikart
	tab 650mg;7.5mg	Mikart
Brand(s)	tab 500mg;5mg	Pharmaceutical Basics
	tab 500mg;5mg	Watson
	cap 500mg;5mg	LuChem
	cap 500mg;5mg	Forest
	cap 500mg;5mg	DM Graham
	tab 500mg;5mg	Beecham
	tab 500mg;5mg	Central
	tab 500mg;5mg	Forest
	tab 500mg;5mg	Ascher
	tab 500mg;5mg	Charlotte
Duradyne DHC	tab 500mg;5mg	BF Ascher
	tab 500mg;5mg	Graham
	tab 500mg;5mg	Holloway
	tab 500mg;5mg	McNeil
	tab 500mg;5mg	Knoll
	tab 500mg;5mg	Beecham
	tab 650mg;7.5mg	
Allay		
Bancap HC		
Hydrocet		
Anexsia		
Co-Gesic		
Duradyne DHC		
Hycodaphen		
Hycopap		
Hy-Phen		
Lortab-5		
Norcet		
Tycolet		
Vicodin		
Anexsia 7.5		

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.721 ACETYLCYSTEINE

DRUG	DOSAGE FORM, STRENGTH	MANUFACTURER
Acetylcysteine	soln for inh 10,20%	Dupont Pharms
	soln for inh 10,20%	Griffith-Care
		Quad
Brand(s)		Dey
Mucosol-10,20	soln for inh 10,20%	

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Mucomyst soln for inh 10, 20%
 (Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.740 ALBUTEROL SULFATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Albuterol Sulfate	tab eq 2.4mg base* tab eq 2.4mg base* tab eq 2.4mg base* tab eq 2.4mg base tab eq 2.4mg base* tab eq 2.4mg base* tab eq 2.4mg base	American Therapeutics Biocraft Cord Danbury Lederle/Am Cyanamid Mutual Sidmak Warner Chilcott/W-L
Brand(s) Proventil Ventolin Proventil Ventolin Proventil Ventolin	soln for inh 1 eq 0.5% base soln for inh 1 eq 0.5% base syr eq 2mg base/5ml syr eq 2mg base/5ml tab eq 2.4mg base* tab eq 2.4mg base*	Schering Glaxo Schering Glaxo Schering Glaxo

*Delayed effective date. Brand products are protected by patent and are not eligible for drug product selection until December 5, 1989.

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.760 ALCOHOL; MORPHINE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Alcohol; Morphine	45% v/v; 2mg/5ml 45% v/v; 2mg/5ml	Halsey National Pharm/Barre
Brand(s) Paregoric Tincture Paregoric Tincture	45% v/v; 2mg/5ml 45% v/v; 2mg/5ml	Lilly Pharmaceutical Basics

(Source: Emergency rule added at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

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Section 790.788 AMANTADINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Amantadine Hydrochloride	cap 100mg cap 100mg cap 100mg cap 100mg	Bolar Inamed Pharmaceutical Basics Reid-Rowett
Brand(s) Symadine Symmetrel	cap 100mg cap 100mg	Reid-Rowell DuPont

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.830 AMINOHIPPURATE SODIUM
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Aminohippurate Sodium	inj 20% inj 20%	Merck/MSD Quad

(Source: Emergency rule added at 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.860 AMINOPHYLLINE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Aminophylline	inj 25mg/ml inj 25mg/ml inj 25mg/ml inj 25mg/ml inj 25mg/ml inj 25mg/ml inj 25mg/ml inj 25mg/ml inj 25mg/ml inj 25mg/ml inj 25mg/ml soln, oral 105mg/5ml soln, oral 105mg/5ml soln, oral 105mg/5ml tab 100, 200mg	Abbott Beecham Bristol/B-M Elkins-Sinn/Robins IMS Luitpold Lyphomed Natcon Pharma Serve Solopak Torigan National Pharm/Barre Pharmaceutical Basics Roxane Cord

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tab 100,200mg
tab 100,200mg
tab 100,200mg
tab 100,200mg

Brand(s)
Aminophyllin
Somophyllin
Somophyllin-DF
Aminophyllin

inj 25mg/ml
soln, oral 105mg/5ml
soln, oral 105mg/5ml
tab 100,200mg

Duramed
Roxane
(Vanguard/MMM)
West-Ward

Searle
Fisons
Fisons
Searle

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.1460 BACITRACIN
EMERGENCY

DRUG

DOSAGE FORM, STRENGTH

Bacitracin

inj 50,000U
inj 10,000, 50,000U
inj 10,000, 50,000U
oint, opth
oint, opth
oint, opth
pwr 5,000,000 U/bottle
pwr 5,000,000 U/bottle
pwr 5,000,000 U/bottle

Brand(s)
Baci-Rx

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.1577 BETAMETHASONE DIPROPIONATE
EMERGENCY

DRUG

DOSAGE FORM, STRENGTH

Betamethasone
Dipropionate

cream eq 0.05% base
cream eq 0.05% base
cream eq 0.05% base
cream eq 0.05% base
lotion eq 0.05% base
lotion eq 0.05% base
lotion eq 0.05% base

Clay-Park
Fougere/Pharmaderm/
Altana
Lemmon
NMC
Thames
Clay-Park
Copley
Fougere/Pharmaderm/
Altana

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lotion eq 0.05% base
lotion eq 0.05% base
lotion eq 0.05% base
lotion eq 0.05% base
oint eq 0.05% base
oint eq 0.05% base

Lemmon
NMC
National Pharm/Barre
Thames
Clay-Park
Fougere/Pharmaderm/
Altana
Lemmon
NMC

oint eq 0.05% base
oint eq 0.05% base
oint eq 0.05% base

Brand(s)

Alphatrex
Diprosone
Alphatrex
Diprosone
Alphatrex
Diprosone

Savage/Altana
Schering
Savage/Altana
Schering
Savage/Altana
Schering

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.1708 BROMPHENIRAMINE MALEATE; DEXTROMETHORPHAN HYDROBROMIDE;
EMERGENCY

DRUG

DOSAGE FORM, STRENGTH

Brompheniramine Maleate; Dextromethorphan Hydro-
bromide; Pseudo-
ephedrine Hydrochloride

Pharmaceutical Basics

Brand(s)

Bromanate DM
Bromfed-DMAT
Dimetane-DX

National Pharm/Barre
Muro
Robins

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.1719 BUPIVACAINE HYDROCHLORIDE
EMERGENCY

DRUG

DOSAGE FORM, STRENGTH

Bupivacaine Hydrochloride inj 0.25,0.5,0.75%

APPLICATION HOLDER,
MANUFACTURER

Abbott

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Brand(s)
Marcaine
Sensorcaine
Marcaine
Sensorcaine
injection, spinal 0.75%
injection 0.25, 0.5, 0.75%
injection 0.25, 0.5, 0.75%
injection, spinal 0.75%
injection, spinal 0.75%
(Source: Emergency amendment at 14 Ill. Reg. 9.556, effective June 1, 1990, for a maximum of 150 days)

Section 790.1960 CARBINOXAMINE MALEATE; PSEUDOEPHEDRINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Carbinoxamine Maleate; Pseudoephedrine Hydrochloride	drops 2mg/ml; 25mg/ml drops 2mg/ml; 25mg/ml syr 4mg/5ml; 60mg/5ml	National Pharm/Barre Pharmaceutical Basics National Pharm/Barre
Brand(s) Rondec Drops Rondec Syrup	drops 2mg/ml; 25mg/ml syr 4mg/5ml; 60mg/5ml	Ross Ross

(Source: Emergency rule added at 14 Ill. Reg. 9.556, effective June 1, 1990, for a maximum of 150 days)

Section 790.2060 CEFAZOLIN SODIUM
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Cefazolin Sodium	injection injection injection injection injection	Ben Venue Elkins-Sinn/Robins Lemmon Lyphomed Marsam
Brand(s) Ancef Kefzol Zolicef	injection injection injection injection	SKF Lilly Bristol/B-M

(Source: Emergency amendment at 14 Ill. Reg. 9.556, effective June 1, 1990, for a maximum of 150 days)

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Section 790.2140 CEPHRADINE/CEPHRADINE DIHYDRATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Cephadrine/Cephadrine Dihydrate	capsule capsule capsule powder for suspension powder for suspension	Barr Biocraft Zenith Barr Biocraft
Brand(s) Anspor Velosef Anspor Velosef	capsule capsule powder for suspension powder for suspension	SKF ErsanaSquibb SKF ErsanaSquibb

(Source: Emergency amendment at 14 Ill. Reg. 9.556, effective June 1, 1990, for a maximum of 150 days)

Section 790.2155 CHLORAL HYDRATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Chloral Hydrate	syr 500mg/5ml syr 500mg/5ml syr 500mg/5ml syr 500mg/5ml syr 500mg/5ml syr 500mg/5ml	Lederle/Am Cyanamid National Pharm/Barre Pharmaceutical Basics Purepac/Kalipharma Koxane Veratex
Brand(s) Noctec	syr 500mg/5ml	ER Squibb

(Source: Emergency rule added at 14 Ill. Reg. 9.556, effective June 1, 1990, for a maximum of 150 days)

Section 790.2180 CHLORAMPHENICOL
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Chloramphenicol	capsule ointment, ophthalmic 1% solution, ophthalmic 0.5% solution, ophthalmic 0.5%	Zenith Altana Norbrook Am Maurry-Bioteg Steris

Lygen cap 5,10,25mg Banmax

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.2485 CHLORPHENIRAMINE TANNATE; PHENYLEPHRINE TANNATE; PYRILAMINE TANNATE

EMERGENCY

DRUG

Chlorpheniramine Tannate; Phenylephrine Tannate; Pyrilamine Tannate

Brand(s)

Rynatan Pediatric

DOSAGE FORM, STRENGTH

susp 2mg/5ml; 5mg/5ml; 12.5mg/5ml

APPLICATION HOLDER, MANUFACTURER

Ferndale

Wallace

Lygen cap 5,10,25mg Banmax

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.2540 CHLOROTHALIDONE

EMERGENCY

DRUG

Chlorothalidone

DOSAGE FORM, STRENGTH

tab 25,50mg

APPLICATION HOLDER, MANUFACTURER

Abbott (Ascot)

Barr

Bolar

Chelsea

Cord

Danbury

KV Pharmaceutical

Lederle/Am Cyanamid

Lemmon

Mutual

Mylan

Parke-Davis/W-L

Pharmaceutical Basics

Pioneer

Purepac/Kalipharma

Sidmak

Superpharm

(Vanguard/MMM)

Vitarine

West-Ward

Zenith

Abbott

Rachelle

Hoffman LaRoche

Lygen cap 5,10,25mg Banmax

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.2485 CHLORPHENIRAMINE TANNATE; PHENYLEPHRINE TANNATE; PYRILAMINE TANNATE

EMERGENCY

DRUG

Chlorpheniramine Tannate; Phenylephrine Tannate; Pyrilamine Tannate

Brand(s)

Rynatan Pediatric

DOSAGE FORM, STRENGTH

susp 2mg/5ml; 5mg/5ml; 12.5mg/5ml

APPLICATION HOLDER, MANUFACTURER

Ferndale

Wallace

Lygen cap 5,10,25mg Banmax

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.2540 CHLOROTHALIDONE

EMERGENCY

DRUG

Chlorothalidone

DOSAGE FORM, STRENGTH

tab 25,50mg

APPLICATION HOLDER, MANUFACTURER

Abbott (Ascot)

Barr

Bolar

Chelsea

Cord

Danbury

KV Pharmaceutical

Lederle/Am Cyanamid

Lemmon

Mutual

Mylan

Parke-Davis/W-L

Pharmaceutical Basics

Pioneer

Purepac/Kalipharma

Sidmak

Superpharm

(Vanguard/MMM)

Vitarine

West-Ward

Zenith

Abbott

Rachelle

Hoffman LaRoche

Section 790.2860 CYCLOPHOSPHAMIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Cyclophosphamide	inj 100,200,500mg, 1gm	Elkins-Sinn/Robins
Cyclophosphamide Lyophilized	inj 100,200,500mg	LyphoMed
Brand(s)		
Cytoxan	inj 100,200,500mg, 1,2gm	Bristol/B-M
Lyophilized Cytoxan	inj 100,200,500mg, 1,2gm	Bristol/B-M
Neosar	inj 100,200,500mg, 1,2gm	Adria

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.2902 CYTARABINE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Cytarabine	inj 100,500mg/vial	Ben Venue
Brand(s)	inj 100,500mg/vial	Quad
Cytosar-U	inj 100,500mg/vial	Upjohn

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.2915 DAUNORUBICIN HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Brand(s)		
Cerubidine	inj eq 20mg base/vial	Rhone Poulenc
Cerubidine	inj eq 20mg base/vial	Wyeth Ayerst/AMHO

(Source: Emergency rule added at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.3020 DEXAMETHASONE SODIUM PHOSPHATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Dexamethasone Sodium Phosphate	inj eq 4mg phosphate/ml inj eq 4mg phosphate/ml	Bel-Mar Bristol/B-M

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Cyclophosphamide	inj eq 4mg phosphate/ml	Dell
Cyclophosphamide	inj eq 4,10mg phosphate/ml	Elkins-Sinn/Robins
Cyclophosphamide	inj eq 20mg phosphate/ml	IMS
Cyclophosphamide	inj eq 4mg phosphate/ml	Lemmon
Cyclophosphamide	inj eq 4mg phosphate/ml	Luitpold
Cyclophosphamide	inj eq 4,10mg phosphate/ml	LyphoMed
Cyclophosphamide	inj eq 4mg phosphate/ml	Norbrook Am
Cyclophosphamide	inj eq 4,10,20,24mg phosphate/ml	Quad

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Cyclophosphamide	inj eq 4,10,24mg phosphate/ml	Steris
Cyclophosphamide	inj eq 4mg phosphate/ml	Wyeth/AMHO
Cyclophosphamide	inj eq 4mg phosphate/ml	Barnes-Hind
Cyclophosphamide	soln, opth eq 0.1% phosphate	Norbrook Am
Cyclophosphamide	soln, opth eq 0.1% phosphate	Mauvey-Biotegeat
Cyclophosphamide	soln, opth eq 0.1% phosphate	Steris

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Cyclophosphamide	inj eq 4mg phosphate/ml	Central Pharm
Cyclophosphamide	inj eq 4,24mg phosphate/ml	MSD/Merck
Cyclophosphamide	inj eq 4,10,20mg phosphate/ml	Organon/Akzona
Cyclophosphamide	oint, opth eq 0.05% phosphate	MSD/Merck
Cyclophosphamide	oint, opth eq 0.05% phosphate	Pharmafair
Cyclophosphamide	oint, opth eq 0.05% phosphate	Alcon
Cyclophosphamide	soln, opth-otic eq 0.1% phosphate	MSD/Merck
Cyclophosphamide	soln, opth eq 0.1% phosphate	Pharmafair

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.3220 DIGOXIN
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Digoxin	elixir, 0.05mg/ml	Pharmafair
Digoxin	inj 0.25mg/ml	Elkins-Sinn/Robins
Digoxin	inj 0.25mg/ml	LyphoMed
Digoxin	inj 0.25mg/ml	Wyeth Ayerst/AMHO

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Brand(s)
Lanoxin Pediatric
Lanoxin
elixir, 0.05mg/ml
inj 0.25mg/ml
(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.3335 OOPAMINE HYDROCHLORIDE
EMERGENCY

ORUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Oopamine Hydrochloride	inj 40, 80, 160mg/ml inj 40, 80, 160mg/ml inj 40mg/ml inj 40, 80mg/ml inj 40mg/ml inj 40, 80, 160mg/ml inj 40, 80, 160mg/ml inj 40, 80mg/ml inj 40mg/ml	Abbott Astra Bristol/B-M Elkins-Sinn/Robin IMS Luitpold LyphoMed Solopak Warner Chilcott/W-L
Brand(s) Oopastat Intropin	inj 40, 80mg/ml inj 40, 80, 160mg/ml	Parke-Davis/W-L Am Crit Care/AHS

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.3340 OOXEPIN HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Ooxepin Hydrochloride	cap eq 25, 50, 75, 100mg base cap eq 10, 25, 50, 75, 100, 150mg base cap eq 10, 25, 50, 75, 100mg base cap eq 10, 25, 50, 75, 100mg base cap eq 10, 25, 50, 75, 100, 150mg base cap eq 10, 25, 50, 75, 100mg base cap eq 10, 25, 50, 75, 100, 150mg base cap eq 75, 100, 150mg base	Barr Chelsea Cord Danbury Lederle/Am Cyanamid Mylan Par Purepac/Kalipharma

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Brand(s)
Adapin
Sinequan
Sinequan
conc eq 10mg base/ml
conc eq 10mg base/ml
cap eq 10, 25, 50, 75,
100, 150mg base
cap eq 10, 25, 50, 75,
100mg base
conc eq 10mg base/ml
Copley
Pharmaceutical Basics
Pennwalt
Pfizer
Pfizer
(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.3437 DROPERIDOL
EMERGENCY

ORUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Oroperidol	inj 2.5mg/ml inj 2.5mg/ml inj 2.5mg/ml inj 2.5mg/ml inj 2.5mg/ml inj 2.5mg/ml inj 2.5mg/ml	Abbott Astra DuPont Pharms Gattegare Luitpold LyphoMed Quad Solopak Janssen
Brand(s) Inapsine	inj 2.5mg/ml	Janssen

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.3620 ERYTHROMYCIN
EMERGENCY

ORUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Erythromycin	cap, enteric coated* pellets 250mg cap, enteric coated* pellets 250mg cap, enteric coated* pellets 250mg oint, ophth 5mg/gm oint, ophth 5mg/gm soln, top 2% soln, top 2%	Abbott American Therapeutics Barr Altana/Fougera/ Pharmaderm Pharmafair Lilly Naska

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Brand(s)
Eryc Sprinkles*

Eryc 125*

Eryc*

Ilotycin

A/T/S

C-Solve 2

ETS 2%

Eryderm

Erymax

Sansac

Statinin

T-Stat

Erycette

T-Stat

E-Base*

E-Mycin*

Ery-Tab*

Ilotycin*

Robimycin*

National Pharm/Barre
Pharmaceutical Basics
Pharmafair

Faulding

Parke-Davis/W-L

Parke-Davis/W-L

Lilly/Dista

Hoechst-Roussel

Syrasset

Paddock

Abbott

Herbert/Allergan

Owen

Westwood

Ortho

Westwood

Barr

Boots

Abbott

Dista/Lilly

Robins

sol'n, top 1.5,2%

sol'n, top 2%

sol'n, top 1.5,2%

cap, enteric coated

pellets 125mg

cap, enteric coated

pellets 125mg

cap, enteric coated

pellets 250mg

oint, ophth 5mg/gm

sol'n, top 2%

sol'n, top 2%

sol'n, top 2%

sol'n, top 2%

sol'n, top 2%

sol'n, top 1.5%

sol'n, top 2%

swab 2%

swab 2%

tab, enteric coated

500mg

tab, enteric coated

250,333mg

tab, enteric coated

250,333,500mg

tab, enteric coated

250mg

tab, enteric coated

250mg

*Erythromycin enteric coated tablets and capsules containing enteric coated pellets were admitted to the Illinois Formulary as exceptions to the promulgated criteria and were approved by a majority vote of the Technical Advisory Council, pursuant to Rule 790.60.

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.4040 FLURAZEPAM HYDROCHLORIDE

EMERGENCY

DRUG

Flurazepam Hydrochloride cap 15,30mg
cap 15,30mg

DOSAGE FORM, STRENGTH

APPLICATION HOLDER,
MANUFACTURERBarr
Chelsea

ILLINOIS REGISTER

9594

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cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

Brand(s)
Dalmane

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

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cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

cap 15,30mg

Danbury

Halsey

Mylan

Par

Parke-Davis/W-L

Pharmaceutical Basics

Purepac

Superpharm

Warner-Chilcott/W-L

West-Ward

Hoffmann-LaRoche

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.4140 GENTAMICIN SULFATE

EMERGENCY

DRUG

Gentamicin Sulfate

DOSAGE FORM, STRENGTH

cream eq 1mg base/gm

cream eq 1mg base/gm

cream eq 1mg base/gm

cream eq 1mg base/gm

inj eq 10,40mg base/ml

inj eq 40mg base/ml

inj eq 40mg base/ml

inj eq 40mg base/ml

inj eq 10,40mg base/ml

inj eq 40mg base/ml

inj eq 10,40mg base/ml

inj eq 10,40mg base/ml

inj eq 10,40mg base/ml

oint eq 1mg base/gm

oint eq 1mg base/gm

oint eq 1mg base/gm

oint eq 1mg base/gm

oint eq 1mg base/gm

oint eq 1mg base/gm

soln, ophth eq to

3mg base/ml

soln, ophth eq 3mg

base/ml

soln, ophth eq 3mg

base/ml

soln, ophth eq 3mg

base/ml

soln, ophth eq 3mg

base/ml

soln, ophth eq 3mg

base/ml

APPLICATION HOLDER,
MANUFACTURER

Clay-Park

Fougera/Pharmaderm/

Altana

NMC

Thames

Elkins-Sinn/Robins

IMS

Kalapharma

Lyphomed

Pharmaceutical Spec

Solopak

Steris

Wyeth Ayerst/AMHO

Clay-Park

Fougera/Altana

NMC

Pharmaderm/Altana

Thames

Alcon

Norbrook Am Mauppy

Paco Research

Steris

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Section 790.4460 HEXACHLOROPHENE
EMERGENCY

DRUG	Brand(s)	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Hexa-Germ		emul, top 3%	Huntington
pHisohex		emul, top 3%	Winthrop-Breon/Sterling
Tergex		emul, top 3%	Xttrium Labs
Dial		sol'n, top 0.25%	Amour-Dial
Germa-Medica "MG"		sol'n, top 0.25%	Huntington
Hexascrub		sponge 3%	Pro Disposables
Phisocrub		sponge 3%	Winthrop-Breon/Sterling

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.4740 HYDROCORTISONE
EMERGENCY

DRUG	Brand(s)	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Hydrocortisone		cream 0.5,1%	Altana
		cream 1,2.5%	Ambix/Organics
		cream 0.5,1,2.5%	Biocraft
		cream 0.5,1,2.5%	Clay-Park
		cream 1%	Everylife
		cream 2.5%	Fougere/Pharmaderm/ Altana
		cream 1%	G & W Lab
		cream 0.5,1%	Ingram
		cream 1%	Lemmon
		cream 2.5%	NMC Labs
		cream 1,2.5%	Naska
		cream 1,2.5%	Pharmaceutical Basics
		cream 1,2.5%	Pharmaderm/Altana
		cream 1%	Pharmafair
		cream 0.5,1%	Stanlabs/Simpak
		cream 0.5,1,2.5%	Thames
		cream 1%	Topiderm
		cream 1%	Towne Paulsen
		lotion 0.5,1%	Clay-Park
		lotion 0.5%	Mericon
		lotion 1%	Naska
		lotion 0.5,1%	National Pharm/Barre
		lotion 1%	Thames
		ointment 0.5,1%	Altana

ointment 1,2.5%	Ambix/Organics
ointment 1%	Carolina Medical
ointment 0.5,1,2.5%	Clay-Park
ointment 1%	Naska
ointment 1,2.5%	Pharmaceutical Basics
ointment 1%	Pharmaderm/Altana
ointment 0.5,1,2.5%	Thames
cream 1%	Del-Ray
cream 1%	Parke-Davis/W-L
cream 0.5,1%	Miles
cream 1%	Reid-Rowell
cream 1%	Thames
cream 0.5,1,2.5%	Westwood
cream 0.5	Pharm Assoc/Beach
cream 0.5,1%	C & M
cream 0.5%	Miles
cream 1%	Miles
cream 2.5%	C & M
cream 0.5,1%	Syosett
cream 1%	NMC
cream 1,2.5%	Dermik/Rorer
cream 0.5,1%	Owen/Derm
cream 1,2.5%	Herbert/Allergan
cream 0.5%	Reid-Rowell
cream 0.5,1,2.5%	Syntex
gel 1%	Owen/Derm
gel 1%	Herbert/Allergan
lotion 1%	Key
lotion 1%	Del-Ray
lotion 1%	Reid-Rowell
lotion 1%	Beta Dermaceuticals
lotion 0.5,1%	Owen/Derm
lotion 0.5,1%	Miles
lotion 0.5,1%	Reid-Rowell
lotion 0.5%	Bluline
lotion 1%	Heran
lotion 0.5%	Pharm-Assoe/Beach
lotion 1,2.5%	Dermik/Rorer
lotion 0.5,1,2.5%	Owen/Derm
lotion 1,2.5%	Stiefel
ointment 1,2.5%	CooperCare
ointment 1,2.5%	Pfizer/Pharmecs/Pfizer
ointment 1%	C & M
ointment 1,2.5%	NMC
ointment 1,2.5%	Dermik/Rorer

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Section 790.5180 HYDROXYZINE PAMOATE

EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	MANUFACTURER
Hydroxyzine Pamoate	cap 25, 50, 100mg	Barr
	cap 25, 50, 100mg	Bolar
	cap 25, 50, 100mg	Chelsea
	cap 25, 50, 100mg	Danbury
	cap 50, 100mg	Duramed
	cap 25, 50, 100mg	Par
	cap 25, 50, 100mg	Superpharm
	cap 25, 50mg	(Vanguard/MMM)
Brand(s)		Zenith
		Vitarine
Hy-Pam	cap 25, 50mg	pfizer
Vistaril	cap 25, 50, 100mg	

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.5300 IMPRAMINE HYDROCHLORIDE

EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	MANUFACTURER
Imipramine Hydrochloride	tab 10, 25, 50mg	Biocraft
	tab 10, 25, 50mg	Bolar
	tab 10, 25, 50mg	Chelsea
	tab 10, 25, 50mg	Cord
	tab 10, 25, 50mg	Lederle/Am Cyanamid
	tab 10, 25, 50mg	Par
	tab 25mg	Pharmaceutical Basics
	tab 10, 25, 50mg	Roxane
	tab 10, 25, 50mg	(Vanguard/MMM)
	tab 10, 25, 50mg	Vitarine
Brand(s) Janimine Presamine Tofranil	tab 10, 25, 50mg	Abbott
	tab 10, 25, 50mg	Rorer
	tab 10, 25, 50mg	Ciba-Geigy
	tab 10, 25, 50mg	Ciba-Geigy

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.5320 IODINATED GLYCEROL

EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Iodinated Glycerol	1iq 60mg/5ml (30mg organically bound iodine)	National Pharm/Barre
	1iq 60mg/5ml (30mg organically bound iodine)	<u>Pharmaceutical Basics</u>
Brand(s) Organidin	1iq 60mg/5ml (30mg organically bound iodine)	Organon/Akzona

This entity was reviewed by the Technical Advisory Council and admitted to the Illinois Formulary as an exception to the promulgated criteria for inclusion, pursuant to Section 790.60.

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.5420 ISONIAZID

EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER MANUFACTURER
Isoniazid	inj 100mg/ml	Quad
	syf 50mg/5ml	Carolina Medical
	tab 100mg	Anabolic
	tab 100,300mg	Barr
	tab 100,300mg	Bolar
	tab 100,300mg	Chelsea
	tab 300mg	Ciba/Ciba-Geigy
	tab 50,100,300mg	Danbury
	tab 300mg	Dow
	tab 100,300mg	Duramed
	tab 50,100,300mg	Halsey
	tab 100,300mg	Lilly
	tab 100mg	MK Laboratories
	tab 50,100,300mg	Panray/Ormont
	tab 100mg	Pharmavite
	tab 50,100mg	Phoenix
	tab 50,100mg	Purepac/Kalipharma
	tab 100mg	Richlyn
	tab 100mg	Towne Paulsen

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	tab 100,300mg	Vitarine
	tab 100,300mg	West-Ward
	tab 100mg	Zenith
Brand(s)		
Nydrasid	inj 100mg/ml	Squibb
Laniazid	syrr 50mg/5ml	Lannett
Rimifon	syrr 50mg/5ml	Hoffmann-LaRoche
Hyzyd	tab 100,300mg	Mallinckrodt
Laniazid	tab 50,100,300mg	Lannett
Stanozide	tab 100,300mg	Stanlabs/Simpak
Stanozide	tab 300mg	Everylife

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.5560 LEVONORDEFRIN; MEPIVICAINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Levonordefrin; Mepivicaine Hydrochloride	inj 0.05mg/ml;2%	Graham
Brand(s)		
Arestocaine HCl w/Levonordefrin	inj 0.05mg/ml;2%	Carlisle
Carbocaine Hydrochloride with Neo-Cobefrin	inj 0.05mg/ml;2%	Cook-Waite
Isocaine HCl w/Levonordefrin	inj 0.05mg/ml;2%	Novocol
Polocaine with Levonordefrin	inj 0.05mg/ml;2%	Astra
Scandonest L	inj 0.05mg/ml;2%	Deproco

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.5620 LIDOCAINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Lidocaine Hydrochloride	inj 0.5,1,1.5,2,4,10,20%	Abbott
	inj 1,2%	Bel Mar
	inj 1,2%	Bristol
	inj 1,2%	Cutter
	inj 1,2%	Dell

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inj 0.5,1,2,4%	Elkins-Sinn
inj 2%	Graham
inj 1,2,4,20%	IMS
inj 1,2%	Lemmon
inj 1,2%	Luitpold
inj 1,1.5,2,4,20%	Lyphomed
inj 1,2%	Norbrook Am Maury
inj 1,2%	Steris
inj 1,2%	Wyeth Ayerst/AMHO
jelly 2%	IMS
soln, top 4%	Paco Research
soln, top 4%	Pharmaceutical Basics
soln, viscous 2%	IMS
soln, viscous 2%	National Pharm/Barre
soln, viscous 2%	Pharmaceutical Basics
soln, viscous 2%	Roxane
inj 2%	Carlisle
inj 1%	Astra
Jelly 2%	Astra
soln, top 4%	Astra
soln, viscous 2%	Astra

Product labelled for intracardiac use may not be interchanged.

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.5820 MECLIZINE HYDROCHLORIDE
EMERGENCY

(All products are Rx although some manufacturers also market an OTC version of the product)

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Meclizine Hydrochloride	tab 25mg	Anabolic
	tab 12.5mg	Bolar
	tab 12.5, 25mg	CM Bundy
	tab 12.5, 25mg	Camall
	tab 12.5, 25mg	Chelsea
	tab 12.5, 25mg	Cord
	tab 12.5, 25mg	KV Pharmaceutical
	tab 12.5, 25, 50mg	Par
	tab 12.5, 25mg	Sidmak
	tab 12.5, 25mg	Superpharm

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Brand(s)
Antivert
Antivert

(Unit Dose Labs)
(Vanguard/MMH)
Zenith
Anabolic
Sidak
Zenith

Roerig/Pfizer
Roerig/Pfizer

tab 12.5, 25mg
tab 12.5, 25mg
tab 12.5, 25mg
tab, chew 25mg
tab, chew 25mg
tab, chew 25mg

tab 12.5, 25, 50mg
tab, chew 25mg

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.5900 NEPROBAMATE

EMERGENCY

APPLICATION HOLDER,
MANUFACTURER

DOSAGE FORM, STRENGTH

DRUG

Neprobamate

Anabolic
Barr
Bell
Chelsea
Cord
Danbury
Everylife
First Texas/Scherer
Heather
ICN
KM Labs
Lannett
Lederle/Am Cyanamid
Lee
Matlard
MK Laboratories
Mylan
Parke-Davis/W-L
Pharmaceutical Basics
Pharmavite
Private Formulations
Purepac/Kalipharma
Quantum
Reid-Rowell
Richlyn
Roxane
Stanlabs/Simpak
Tablicaps
Towne Paulsen

tab 200,400mg
tab 200,400,600mg
tab 200,400mg
tab 200,400,600mg
tab 400mg
tab 200,400,600mg
tab 400mg
tab 400mg
tab 200,600mg
tab 200,400mg
tab 200,400mg
tab 200,400mg
tab 400mg
tab 400mg
tab 200,400mg
tab 400mg
tab 200,400mg
tab 200,400mg
tab 200,400mg
tab 200,400mg
tab 200,400mg
tab 200,400mg
tab 200,400mg
tab 600mg
tab 200,400mg
tab 400mg
tab 200,400mg

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Brand(s)
Amosene
Equanil
Mepriam
Miltown
Neuramate
Tranmep

(Vanguard/MMH)
Vitarine
West-Ward
Zenith

Ferndale
Wyeth Ayerst/AMHO
Lemmon
Wallace/C-W
Halsey
Reid-Rowell

tab 400mg
tab 200,400mg
tab 200,400mg
tab 200,400,600mg
tab 400mg
tab 200,400mg
tab 400mg
tab 200,400,600mg
tab 200,400mg
tab 400mg

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.6180 METHOTREXATE SODIUM

EMERGENCY

DRUG

Methotrexate Sodium

DOSAGE FORM, STRENGTH

APPLICATION HOLDER,
MANUFACTURER

Methotrexate Sodium

injection 25mg base/ml
injection 25mg base/ml
injection 25mg base/ml
injection 2.5,25mg base/ml
injection 20,50,100mg base/vial
injection 2.5,25mg base/ml
injection 20,50,100mg base/vial
injection 25mg base/ml
injection 25mg base/ml
injection 20,50,100,250mg base/vial
injection 25mg base/ml
injection 25mg base/ml
injection 50,100,250mg base/vial
injection 50,100,250mg base/vial
injection 20,50,100,250mg base/vial
injection 25mg base/ml

Adria
Ben Venue
IMS
Lederle/Am Cyanamid
Lederle/Am Cyanamid
Lyphomed
Lyphomed
Pharmachemie
Quad
Quad
International Pharm
Adria
International Pharm
Adria
Bristol/B-M
Bristol/B-M

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

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Section 790.6277 METHYLDOPATE HYDROCHLORIDE

EMERGENCY

DRUG DOSAGE FORM, STRENGTH

Methyldopate
Hydrochloride

inj 50mg/ml
inj 50mg/ml
inj 50mg/ml
inj 50mg/ml
inj 50mg/ml
inj 50mg/ml
inj 50mg/ml

Brand(s)
Aldomet

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.6370 METOCLOPRAMIDE HYDROCHLORIDE

EMERGENCY

DRUG DOSAGE FORM, STRENGTH

Metoclopramide
Hydrochloride

inj eq 5mg base/ml
inj eq 5mg base/ml
inj eq 5mg base/ml
inj eq 5mg base/ml
inj eq 10mg base/2ml
syr eq 5mg base/5ml
syr eq 5mg base/5ml
syr eq 5mg base/5ml
syr eq 5mg base/5ml
syr eq 5mg base/5ml
tab eq 10mg base
tab eq 10mg base
tab eq 10mg base
tab eq 10mg base
tab eq 10mg base
tab eq 10mg base
tab eq 5,10mg base
tab eq 10mg base

APPLICATION HOLDER,
MANUFACTURER

Abbott
DuPont Pharms
Griffith-Care
LyphoMed
Norbrook Am Maury
Quad
Solopak
Biocraft
National Pharm/Barre
Paco Research
Pharmaceutical Basics
Roxane
Barr
Biocraft
Bolar
Chelsea
Cord
Danbury
Halsey
Interpharm
Invamed
Martec

APPLICATION HOLDER,
MANUFACTURER

Abbott
DuPont Pharms
Griffith-Care
Elkins-Sinn/Robins
Luitpold
LyphoMed
Marsam
Quad
Solopak
MSD/Merck

tab eq 10mg base
tab eq 10mg base
tab eq 10mg base
tab eq 10mg base
tab eq 10mg base
tab eq 10mg base

Par
Pharmaceutical Basics
Purepac/Kalipharma
Sldmak
Superpharm
Watson

Brand(s)
Octamide PFS
Reglan
Reglan
Clopra
Maxolon
Reglan

inj eq 5mg base/ml
inj eq 5mg base/ml
syr eq 5mg base/5ml
tab eq 5,10mg base
tab eq 10mg base
tab eq 5,10mg base

David Bull Labs
Robins
Robins
Quantum
Beecham
Robins

Section 790.6450 NAFICILLIN SODIUM

EMERGENCY

DRUG

Nafcillin Sodium

DOSAGE FORM, STRENGTH

inj eq 500mg, 1, 2, 4, 10gm
base/vial

APPLICATION HOLDER,
MANUFACTURER

Marsam

Brand(s)

Nafcil

inj eq 500mg, 1, 2, 4, 10gm
base/vial

Bristol/B-M

Nallpen

inj eq 500mg, 1, 2, 10gm
base/vial

Beecham

Unipen

inj eq 500mg, 1, 2, 4gm
base/vial

Wyeth Ayerst/AMHO

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.6460 NANDROLONE DECANOATE

EMERGENCY

DRUG

Nandrolone Decanoate

DOSAGE FORM, STRENGTH

inj 50, 100mg/ml
inj 100, 200mg/ml
inj 100mg/ml

APPLICATION HOLDER,
MANUFACTURER

Lemmon
LyphoMed
Norbrook Am
Maury-Bioteg
Quad
Steris

inj 50, 100, 200mg/ml
inj 50, 100, 200mg/ml

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Brand(s)
Deca-Durabolin inj 50, 100, 200mg/ml Organon/Akzona
(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.6500 NAPHAZOLINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Naphazoline Hydrochloride Brand(s)	soln, ophth 0.1%	Norbrook Am Maury
Albalon Liquifilm	soln, ophth 0.1%	Allergan
Nafazair	soln, ophth 0.1%	Pharmafair
Naphcon Forte	soln, ophth 0.1%	Alcon
Opcon	soln, ophth 0.1%	Bausch & Lomb Muco
Vasocon Regular	soln, ophth 0.1%	Topab

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.6540 NEOMYCIN SULFATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Neomycin Sulfate	inj eq 350mg base/vial inj eq 350mg base/vial pwr 100% tab	Pfizer Squibb Paddock Labs Biotcraft
	tab	Lannett
	tab	Lilly
	tab	Roxane
	tab	Squibb
	tab	Vitarine
Brand(s) Mycifradin Neo-Rx Myciffradin	inj eq 350mg base/vial pwr 100% tab	Upjohn Pharm Tek Upjohn

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENTSSection 790.6670 NITROGLYCERIN INJECTION
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Nitroglycerin Injection	inj 5mg/ml inj 5mg/ml inj 5mg/ml inj 5, 10mg/ml inj 5mg/ml	Abbott IMS Luitpold Lyphomed Quad Solopak
Brand(s) Nitro-Bid Nitrol Nitro I.V. Nitrostat Tridil	inj 5mg/ml inj 0.8mg/ml inj 5mg/ml inj 0.8, 5, 10mg/ml inj 5mg/ml	Marion Kremers-Urban G Pohl-Boskamp Parke-Davis/W-L Am Crit Care/AHS

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.7260 PIPERAZINE CITRATE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Piperazine Citrate	syr eq 500mg base/5ml syr eq 500mg base/5ml syr eq 500mg base/5ml syr eq 500mg base/5ml	Lannett Luitpold Natcon National Pharm/Barre
Brand(s) Antepar Bryrel Multifuge Vermidol	syr eq 500mg base/5ml syr eq 500mg base/5ml syr eq 500mg base/5ml syr eq 500mg base/5ml	Burroughs Wellcome Winthrop-Breon/Sterling Bluline Reid-Rowell

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.7265 POLYETHYLENE GLYCOL 3350; POTASSIUM CHLORIDE; SODIUM BICARBONATE;
SODIUM CHLORIDE; SODIUM SULFATE, ANHYDROUS
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Brand(s)		

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Colovage	227.1gm/packet; 2.82gm/packet; 6.36gm/packet; 5.53gm/packet; 21.5gm/packet	Dynapharm
Colyte	227.1gm/packet; 2.82gm/packet; 6.36gm/packet; 5.53gm/packet; 21.5gm/packet	Reed & Carnrick
E-Z-EM Prep Lyte	236gm/bot;2.97gm/bot; 6.74gm/bot;5.86gm/bot; 22.74gm/bot	E Z EM
Glycoprep	236gm/bot;2.97gm/bot; 6.74gm/bot;5.86gm/bot; 22.74gm/bot	Toga Med Products
Golytely	236gm/bot;2.97gm/bot; 6.74gm/bot;5.86gm/bot; 22.74gm/bot	Braintree
Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, a maximum of 150 days)		
ion 790.7278 POTASSIUM BICARBONATE		
DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER,
Potassium Bicarbonate	tab, effervescent 25mEq	MANUFACTURER
Brand(s)		Copley
Effer-K	tab, effervescent 25mEq	Novmax
Klor-Con EF	tab, effervescent 25mEq	CFH Laboratories
K-Lyte	tab, effervescent 25mEq	Mead Johnson/B-M
Effervescent Potassium Bicarbonate tablets for oral solution were reviewed by Technical Advisory Council and admitted to the Illinois Formulary as an exception to the promulgated criteria for inclusion, pursuant to Section 790.60.		
Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, a maximum of 150 days)		
ion 790.7280 POTASSIUM CHLORIDE		
DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER,
Potassium Chloride	inj 1,2mEq/ml inj 1,2,3,4mEq/ml	MANUFACTURER
		Abbott Cutter

(Source: Emergency amendment at 14 Ill. Reg. 9556 _____, effective June 1, 1990, for a maximum of 150 days)

**Section 790.7278 POTASSIUM BICARBONATE
EMERGENCY**

<p>DRUG <u>Potassium Bicarbonate</u> Brand(s) Effer-K Klor-Con EF K-Lyte</p>	<p>DOSAGE FORM, STRENGTH tab, effervescent 25mEq</p>	<p>APPLICATOR HOLDER, MANUFACTURER Copley</p>
<p>Effervescent Potassium Bicarbonate tablets for oral solution were reviewed by Technical Advisory Council and admitted to the Illinois Formulary as an Option to the promulgated criteria for inclusion, pursuant to Section 790.60.</p>	<p>tab, effervescent 25mEq tab, effervescent 25mEq tab, effervescent 25mEq</p>	<p>Nonmax CFH Laboratories Mead Johnson/B-M</p>
<p>Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, a maximum of 150 days)</p>	<p>ion 790.7280 POTASSIUM CHLORIDE</p>	<p>APPLICATION HOLDER, MANUFACTURER</p>
<p>AGENCY</p>	<p>DOSAGE FORM, STRENGTH</p>	<p>Abbott Cutter</p>
<p>DRUG Potassium Chloride</p>	<p>inj 1.2mEq/ml inj 1.2, 3.4mEq/ml</p>	

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.7280 POTASSIUM CHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Potassium Chloride	inj 1,2mEq/ml	Abbott
	inj 1,2,3,4mEq/ml	Cutter

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Elkins-Sinn/Robins	1nj 2mEq/ml	
IMS	1nj 2mEq/ml	
Kendall McGaw	1nj 1,2,3,4mEq/ml	
Lemmon	1nj 2,3mEq/ml	
Lilly	1nj 2mEq/ml	
Lipomed	1nj 2,3mEq/ml	
Maury	1nj 2mEq/ml	
Natcon	1nj 2mEq/ml	
Norbrook Am	1nj 2,3mEq/ml	
Searle	1nj 2mEq/ml	
Steris	1nj 2mEq/ml	
Torigian	1nj 2mEq/ml	
Travenol	1nj 2mEq/ml	
Copley	pwdr, 20mEq/pkt	
Naska	sol'n 1500mg/15ml	(sugar free)
	(20mEq/15ml, 10%)	
	sol'n 3000mg/15ml	(sugar free)
	(40mEq/15ml, 20%)	
	sol'n 1500mg/15ml	
	(20mEq/15ml, 10%)	
Pharmaceutical Basics	sol'n 1500mg/15ml	
	(20mEq/15ml, 10%)	(sugar free)
Pharmaceutical Basics	sol'n 3000mg/15ml	
	(40mEq/15ml, 20%)	(sugar free)
Pharmaceutical Basics	tab, extended release	
Copley	8mEq (600mg)	
Howard Foods/ USA American	pwdr, 20mEq/pkt	
Abbott	pwdr, 20mEq/pkt	
ICN Pharms	pwdr, 20mEq/pkt	
Forest/Inwood	pwdr, 20mEq/pkt	
Upsher-Smith Century	sol'n 1500mg/15ml	
	(20mEq/15ml, 10%)	(sugar free)
Econo Med	sol'n 1500mg/15ml	
	(20mEq/15ml, 10%)	(sugar free)
Adria	sol'n 1500mg/15ml	
	(20mEq/15ml, 10%)	
Adria	sol'n 1500mg/15ml	
	(20mEq/15ml, 10%)	
Forest/Inwood	sol'n 1500mg/15ml	
	(20mEq/15ml, 10%)	(sugar free)
Upsher-Smith	sol'n 1500mg/15ml	
	(20mEq/15ml, 10%)	(sugar free)
Sandoz	sol'n 1500mg/15ml	
	(20mEq/15ml, 10%)	

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Potsalan (sugar free)	soln 1500mg/15ml (20mEq/15ml, 10%)	Adria
Kaon-C1 20% (sugar free)	soln 3000mg/15ml (40mEq/15ml, 20%)	Adria
Klor Con 20%	soln 3000mg/15ml (40mEq/15ml, 20%)	Upsher-Smith
Slow-K	tab, extended release 8mEq (600mg)	Ciba/Geigy

Products containing sugar shall not be interchanged with sugar free products without verification of the diabetic status of the patient.

Oral Potassium Chloride solutions and powders for solutions were reviewed by the Technical Advisory Council and admitted to the Illinois Formulary as an exception to the promulgated criteria for inclusion, pursuant to Section 790.60.

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.7340 PREDNISOLONE ACETATE; SULFACETAMIDE SODIUM

EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Prednisolone Acetate; Sulfacetamide Sodium	susp, ophth 0.2%; 10%	Pharmafair
Brand(s)		
Predsulfar	oint, ophth 0.5%; 10%	Pharmafair
Vasocidin	oint, ophth 0.5%; 10%	Iolab
Blephamide	susp, ophth 0.2%; 10%	Allergan
Metimyd	susp, ophth 0.5%; 10%	Schering
Predamide	susp, ophth 0.5%; 10%	Norbrook Am Maury
Predsulfar	susp, ophth 0.5%; 10%	Pharmafair
Sulphrin	susp, ophth 0.5%; 10%	Bausch & Lomb

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.7380 PREDNISOLONE SODIUM PHOSPHATE

EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Prednisolone Sodium Phosphate	inj eq 20mg phosphate/ml soln, ophth 0.125, 1% (eq 0.11%, 0.9% phosphate) soln, ophth 0.125, 1% (eq 0.11%, 0.9% phosphate)	Steris Barnes-Hind Norbrook Am Maury

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Brand(s)		
Hydeltrasol Inflamase	inj eq 20mg phosphate/ml soln, ophth 0.125% (eq 0.11% phosphate)	MSD/Merck Iolab
Inflamase Forte	soln, ophth 1% (eq 0.9% phosphate)	Iolab
Predair	soln, ophth 0.125% (eq 0.11% phosphate)	Pharmafair
Predair Forte	soln, ophth 1% (eq 0.9% phosphate)	Pharmafair

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.7400 PREDNISONE

EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Prednisone	oral soln 5mg/5ml oral soln 5mg/5ml tab 5, 10, 20mg tab 5, 10, 20mg tab 5, 10, 20, 50mg tab 5, 10, 20, 50mg tab 5, 10, 20mg tab 5, 10, 20mg tab 5mg tab 5, 10, 20, 50mg tab 5, 10, 20mg tab 5, 10, 20mg tab 5, 10, 20mg tab 5, 10, 20mg tab 1, 2.5, 5, 10, 20, 25, 50mg tab 5, 10, 20mg tab 10mg tab 5, 10, 20, 50mg oral soln 5mg/5ml tab 5, 10, 20, 50mg tab 1, 5, 10, 20, 50mg	Pharmaceutical Basics Roxane American Therapeutics Barr Chelsea Cord Danbury Duramed Halsey Heather Interpharm Mutual Private Formulations Purepac Roxane Superpharm Towne-Paulsen West-Ward Upjohn Upjohn Reid-Rowell

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.7500 PROCAINAMIDE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Procainamide Hydrochloride	cap 250, 375, 500mg cap 250, 500mg cap 250, 375, 500mg cap 250, 375, 500mg cap 250, 375, 500mg cap 250, 500mg cap 250, 375, 500mg cap 250, 500mg cap 250, 500mg cap 250, 375, 500mg inj 100, 500mg/ml inj 100, 500mg/ml inj 100, 500mg/ml inj 100, 500mg/ml inj 100, 500mg/ml inj 100, 500mg/ml inj 100, 500mg/ml inj 500mg/ml inj 100, 500mg/ml tab, controlled release 250, 500, 750, 1000mg tab, controlled release 500, 750mg tab, controlled release 250, 500, 750mg tab, controlled release 250, 500, 750mg tab, controlled release 500mg tab, controlled release 500mg	(Ascot) Bolar Chelsea Cord Danbury Lannett Lederle/Am Cyanamid Roxane (Vanguard/MMM) Zenith Abbott Elkins-Sinn/Robins IMS LyphoMed Pharmafair Quad Solopak Steris Sterling Warner Chilcott/W-L Bolar Copley Cord Danbury Forest/Inwood Invamed Parke-Davis-W/L Panray/Omont Squibb Parke-Davis/W-L Sidmak
Brand(s)		
Procan	cap 375mg	
Procanan	cap 250mg	
Pronesty ^l	cap 250, 375, 500mg	
Pronesty ^l	inj 100, 500mg/ml	
Procan-SR	tab, controlled release 250, 500, 750, 1000mg	
Rhythm-in	tab, controlled release 250, 500mg	

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.7700 PROMETHAZINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Promethazine Hydrochloride	inj 25, 50mg/ml inj 25, 50mg/ml inj 25, 50mg/ml inj 25, 50mg/ml inj 25, 50mg/ml	Elkins-Sinn/Robins Knoll Pharmaceutical Lemmon Marsam Norbrook Am Maury-Bioteg eat Steris
	inj 25, 50mg/ml inj 25, 50mg/ml syr 6, 25mg/5ml, 25mg/5ml syr 6, 25mg/5ml	Winthrop/Sterling KV Pharmaceutical Life
	syr 6, 25mg/5ml syr 6, 25mg/5ml, 25mg/5ml syr 6, 25mg/5ml	Pharm Assoc/Beach Pharmaceutical Basics Towne Paulsen
Brand(s)		
Phenergan	inj 25, 50mg/ml	Wyeth Ayerst/AMHO
Zipran-25, 50	inj 25, 50mg/ml	Altana
Phenergan	syr 6, 25mg/5ml	Wyeth Ayerst/AMHO
Phenergan Fortis	syr 25mg/5ml	Wyeth Ayerst/AMHO
Prometh	syr 6, 25mg/5ml, 25mg/5ml	National Pharm/Barre

Source: Emergency amendment at 14 Ill. Reg. _____, effective June 1, 1990,
a maximum of 150 days)

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.7940 PYRIDOXINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Pyridoxine Hydrochloride	inj 100mg/ml	Bel-Mar
	inj 100mg/ml	Dell
	inj 100mg/ml	Lemmon
	inj 100mg/ml	Luitpold
	inj 100mg/ml	LyphoMed
	inj 100mg/ml	Murray-Bitelegreat
Hexa-Betalin	inj 100mg/ml	Natcon
	inj 100mg/ml	Norbrook Am
	inj 100mg/ml	Steris
	inj 100mg/ml	Lilly

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

Section 790.8020 QUINIDINE SULFATE

Section 790.8136 SECOBARBITAL SODIUM

EMERGENCYEMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Quinidine Sulfate	cap 200mg	Lilly
	cap 200mg	Reid-Rowell
	tab 200mg	Barr
	tab 200mg	Beecham
	tab 200mg	Bell
	tab 200mg	Chelsea
	tab 200mg	Cord
	tab 200, 300mg	Danbury
	tab 100, 200, 300mg	First Texas/Scherer
	tab 200mg	Halsey
	tab 200mg	ICN
	tab 200mg	KV Pharmaceutical
	tab 200mg	Lannett
	tab 200mg	Lederle/Am Cyanamid
	tab 200mg	Lilly
	tab 200mg	Mutual
	tab 100, 200, 300mg	Parke-Davis/W-L
	tab 200mg	Pharmaceutical Basics
	tab 200mg	Pharmavite
	tab 200mg	Phoenix
	tab 200mg	Private Formulations
	tab 200mg	Purepac/Kalipharma
	tab 200mg	Quantum
	tab 200mg	Richlyn
	tab 200mg	Roxane
	tab 200, 300mg	Stanlabs/Simpak
	tab 200mg	Superpharm
	tab 200mg	Towne Paulsen
	tab 200mg	(Vanguard/MMM)
	tab 200mg	Vitarine
	tab 200, 300mg	West-Ward
	tab 200mg	Zenith
	cap 200mg	Reid-Rowell
	tab 100, 300mg	Reid-Rowell
	tab 200, 300mg	Key
Brand(s)		
Cin-Quin		
Cin-Quin		
Quinora		

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

APPLICATION HOLDER,
MANUFACTURER

DOSAGE FORM, STRENGTH

APPLICATION HOLDER,
MANUFACTURER

DRUG

Secobarbital Sodium

cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 50, 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
cap 100mg
inj 50mg/ml

Brand(s)
Seconal
Seconal

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

Section 790.8180 SILVER SULFADIAZINE

EMERGENCYAPPLICATION HOLDER,
MANUFACTURER

DOSAGE FORM, STRENGTH

DRUG

Silver-Sulfadiazine

cream-1%
cream 1%
cream 1%
cream-1%
cream-1%

Brand(s)
Silvadene
SSD
Thermazine
Ultrava-Berm

APPLICATION HOLDER,
MANUFACTURER

Travenet/Flint
Marion
Boots USA
Sherwood Med
Chesebrough-Pond

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990,
for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section 790.8248 SODIUM NITROPRUSSIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Sodium Nitroprusside	50mg/vial 50mg/vial	Elkins/Sinn LynphoMed
Brand(s) Nitropress	50mg/vial 50mg/vial	Roche Abbott

(Source: Emergency rule added at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.8420 SULFACETAMIDE SODIUM
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Sodium Sulfacetamide	oint, ophth 10% soln, ophth 10%, 30% soln, ophth 10%, 15%, 30% soln, ophth 10%, 30%	Fougera/Alitana Barnes-Hind Norbrook Am Maupay Steris
Brand(s) Bleph-10 Cetamide Sodium Sulfamyd Sulfair-10 Bleph-10 Bleph-30 Isopto Cetamide Ocusulf-10 Ocusulf-30 Sodium Sulfamyd Sulf-10 Sulfacel-15 Sulfair-10 Sulfair-15 Sulfair Forte Sulfen-10	oint, ophth 10% oint, ophth 10% oint, ophth 10% oint, ophth 10% soln, ophth 10% soln, ophth 30% soln, ophth 15% soln, ophth 10% soln, ophth 30% soln, ophth 10%, 30% soln, ophth 10% soln, ophth 15% soln, ophth 10% soln, ophth 15% soln, ophth 15% soln, ophth 30% soln, ophth 10%	Allergan Alcon Schering Pharmafair Allergan Allergan Alcon Optopics Optopics Schering Iolab Optopics Pharmafair Pharmafair Pharmafair Bausch & Lomb

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section 790.8710 SULINDAC
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Sulindac	tab 150, 200mg tab 150, 200mg	American Therapeutics Danbury
Brand(s) Clinoril	tab 150, 200mg	Merck/MSD

(Source: Emergency rule added at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.8980 THIAMINE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Thiamine Hydrochloride	inj 100, 200mg/ml inj 100mg/ml inj 100mg/ml inj 100, 200mg/ml inj 100mg/ml inj 100mg/ml inj 100mg/ml inj 100mg/ml inj 100mg/ml inj 100mg/ml inj 100mg/ml	Bel-Mar Dell Elkins-Sinn/Robins Lemmon Luitpold LynphoMed Maupay-Biotegreat Natcon Norbrook Am Parke-Davis/W-L Steris Wyeth Ayerst/AMHO Lilly
Brand(s) Betalin S	inj 100mg/ml	

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.9084 TRAZODONE HYDROCHLORIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Trazodone Hydrochloride	tab 50, 100mg tab 50, 100mg tab 50, 100mg tab 50, 100mg tab 50, 100mg	American Therapeutics Barr Bolar Chelsea Danbury Lemmon

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Brand(s)
Desyre1

tab 50,100mg
tab 50,100mg
tab 50,100,150*mg
tab 50,100mg

Pharmaceutical Basics
Purepac/Kalipharma
Sildmak
TAG Pharmaceuticals

tab 50,100,150mg
Mead Johnson/B-M

*This 150mg tablet cannot be broken into three 50mg segments. Prescribers and pharmacists should be aware of this difference and take it into account when writing a prescription or practicing drug product selection.

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

Section 790.9460 TROPICAMIDE
EMERGENCY

DRUG	DOSAGE FORM, STRENGTH	APPLICATION HOLDER, MANUFACTURER
Tropicamide	soln, ophth 0.5% soln, ophth 0.5,1%	Norbrook Am Maury Optotics
Mydracil	soln, ophth 0.5,1% soln, ophth 0.5,1%	Pharmafair Alcon

(Source: Emergency amendment at 14 Ill. Reg. 9556, effective June 1, 1990, for a maximum of 150 days)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF REFUSAL

TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) The Heading of the Part: Licensing Standards for Youth Emergency Shelters
- 2) Code Citation: 89 Ill. Adm. Code 410
- 3) Section Numbers: 410.20 Action: Refusal
410.60
- 4) Date Notice of Proposed Rules Published in the Register (if applicable):
January 12, 1990, 14 Ill. Reg. 439
(issue date)
- 5) Date JCAR Statement of Objection Published in the Register:
May 25, 1990, 14 Ill. Reg. 8206
(issue date)

6) Summary of Action Taken by the Agency: The Department has refused to modify Sections 410.20 and 410.60 because it believes that to allow children under 14 years of age to be sheltered in an emergency youth shelter, would be detrimental to the welfare of such children and expose such children to neglect. Emergency youth shelters do not provide the level of services needed for younger children. Because emergency youth shelters are only required to be open between the hours of 6:00 p.m. to 9:00 a.m., children under 14 years of age would be turned loose on the streets without supervision during the hours that the shelter is closed. The Department believes that younger children who are homeless should be referred to traditional types of foster care through reports to the child abuse and neglect hotline or through referrals to local comprehensive community-based youth service providers. The Department will seek legislation to amend Section 2.21 of the Child Care Act of 1960 to limit emergency youth shelters to youth 14 to 18 years of age.

SECRETARY OF STATE

NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Numbers: Action
1030.16 Withdrawal
- 4) Date of Proposed Rules Published in the Illinois Register:
May 11, 1990 14 Ill. Reg. 7130
(Issue date)

5) Reason for the withdrawal: This proposed rule is being withdrawn because some recent changes have been made in our physical and mental evaluation policies. We plan to revise the rule and resubmit it for 1st Notice.

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF CORRECTIONS TO PROPOSED AMENDMENT

- 1) Heading of the Part for which proposed rulemaking is being corrected: Service Plan Development
- 2) Code Citation: 89 Ill. Adm. Code 700
- 3) Illinois Register citation to Notice of Proposed Amendment: 14 Ill. Reg. 8103; May 25, 1990
- 4) Section being Corrected: 700.200 (a)
- 5) Corrections being made: The amount that DORS will pay to Personal Assistants is changed to \$3.85 per hour. New language is being added. Section 700.200 (a) as corrected in its entirety now reads:
- Section 700.200 Rates of Payment, Types and Skill Levels of Service Providers
- a) Personal Assistant services are to be provided by individuals (rather than by agencies) who are selected, hired, trained, supervised and dismissed by the client or other responsible person. Personal Assistants do not necessarily have formal training. DORS will pay no more than \$3.85 per hour for such services for the period July 1, 1990 to April 1, 1991. After April 1, 1991, the rate will be \$4.25 per hour.

ILLINOIS REGISTER
JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 29, 1990, through June 1, 1990, and have been scheduled for review by the Committee at its July 26, 1990 meeting. Other items not contained in this published list may also be considered by the Joint Committee at its July meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
7/13/90	Department of Public Health, Regionalized Perinatal Health Care Code (77 Ill. Adm. Code 640)	7/28/89 13 Ill. Reg. 12433	July 26, 1990
7/13/90	Department of Public Aid, Administration of Social Service Programs (89 Ill. Adm. Code 130)	1/26/90 14 Ill. Reg. 1564	July 26, 1990
7/13/90	Department of Central Management Services, Local Government Health Plan (80 Ill. Adm. Code 2160)	3/23/90 14 Ill. Reg. 4288	July 26, 1990
7/16/90	Department of Public Health, Regionalized Perinatal Care, Repeal of (77 Ill. Adm. Code 640)	7/28/89 13 Ill. Reg. 12413	July 26, 1990
7/16/90	Pollution Control Board, Special Waste Classifications (35 Ill. Adm. Code 808)	8/25/89 13 Ill. Reg. 13468	July 26, 1990
7/16/90	Pollution Control Board, Waste Hauling (35 Ill. Adm. Code 809)	9/1/89 13 Ill. Reg. 13699	July 26, 1990
7/16/90	Department of Public Aid, Aid to Families with Dependent Children (89 Ill. Adm. Code 112)	2/23/90 14 Ill. Reg. 2798	July 26, 1990

ILLINOIS REGISTER 9626
90
JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED
(page 2)

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
7/16/90	Department of Public Aid, Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113)	2/23/90 14 Ill. Reg. 2811	July 26, 1990
7/16/90	Department of Public Aid, General Assistance (89 Ill. Adm. Code 114)	2/23/90 14 Ill. Reg. 2821	July 26, 1990
7/16/90	Department of Public Aid, Medical Assistance Programs (89 Ill. Adm. Code 120)	2/23/90 14 Ill. Reg. 2831	July 26, 1990

PROCLAMATION

90-281

CONGRATULATES ST. MARTIN DE PORRES HOUSE OF HOPE

Whereas, the Illinois Family Policy Council was established by the Office of the Governor, the Illinois Association of Family Service Agencies, and United Charities, and is credited with investigating successful family oriented programs to be used as models for other public and private endeavors; and

Whereas, homelessness is a critical problem faced by thousands of Illinois families, and is debilitating to healthy family functioning; and

Whereas, St. Martin De Porres House of Hope has been a haven for homeless women and their families in the Chicago area; and Whereas, its board of directors and staff have provided the human service system in Illinois with a wealth of innovation in serving homeless women and their families; and

Whereas, the Illinois Family Policy Council has selected St. Martin De Porres House of Hope as a model family program in the State of Illinois;

Therefore, I, James R. Thompson, Governor of the State of Illinois, congratulate ST. MARTIN DE PORRES HOUSE OF HOPE on being the first recipient of the Illinois Model Family Program Award for their contributions to the citizens and the human service system of our state.

Issued by the Governor May 29, 1990.

Filed with the Secretary of State June 4, 1990.

90-282

LA GRANGE NURSES DAY

Whereas, May 7, 1990, has been designated as National Nurses' Day; and

Whereas, La Grange Memorial Hospital will celebrate its 35th anniversary on July 5, 1990; and

Whereas, the nursing staff of LaGrange Memorial Hospital have been instrumental in providing the highest quality of patient care for the past 35 years;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim July 5, 1990, as LA GRANGE NURSES DAY in Illinois in recognition of the dedication these nurses have shown in their challenging profession.

Issued by the Governor May 29, 1990.

Filed with the Secretary of State June 4, 1990.

90-283

SAFE BOATING WEEK

Whereas, the waterways of Illinois will be put to good use

this year, as every year, by nearly 350,000 registered recreational craft; and

Whereas, responsibility and safety are important factors in making each boating outing an enjoyable one; and

Whereas, since 1978, more than 34,000 boaters under age 18 have learned boating safety techniques through programs sponsored by the Illinois Department of Conservation; and

Whereas, this emphasis on boating safety has contributed to a reduction in accidents and more enjoyable boating conditions for all;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim June 3-9, 1990, as SAFE BOATING WEEK in Illinois in conjunction with the national observance. I urge all recreational boaters to focus their attention on the importance of safety and courtesy in boating.

Issued by the Governor May 29, 1990.

Filed with the Secretary of State June 4, 1990.

90-284

ARGONNE ADVANCED PHOTON DAY

Whereas, June 4 will mark the formal groundbreaking for Argonne National Laboratory's \$456 million Advanced Photon Source (APS), the largest federal construction project to be attracted to Illinois in a quarter century; and

Whereas, the APS will generate the world's brightest light, x-rays 10,000 times brighter than any produced today, to expand the frontiers of science and contribute to the competitive advantage of the American industry; and

Whereas, the APS will serve as a magnet for high tech industry and a leading edge research tool for Illinois colleges and universities; and

Whereas, the APS will renew Illinois' worldwide reputation as a center for scientific research into the next century; and

Whereas, APS construction represents a cooperative achievement of state government, the Illinois Congressional delegation, local government, private industry, and the federal Department of Energy;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim June 4, 1990, as ARGONNE ADVANCED PHOTON DAY in Illinois.

Issued by the Governor May 31, 1990.

Filed with the Secretary of State June 4, 1990.

90-285

LA SEMANA DE LAS FIESTAS PATRONALES DE PUERTO RICO

Por Cuanto, la comunidad puertorriquena es una fuerza cultural vigorosa en el Estado de Illinois; una comunidad que continuara enriqueciendo la vida de los ciudadanos de Illinois a

traves de sus contribuciones a la comunidad, culturalmente y economicamente; y Por Cuanto, la comunidad puertorriquena ha honrado su herencia, por los ultimos veinticinco anos con festividades patrioticas y continua la tradicion este ano con el desfile puertorriqueno de Chicago; y

Por Cuanto, el comite del desfile puertorriqueno juntamente con su presidente Daniel Ramos, han organizado las festividades de este ano con gran dedicacion; y

Por Cuanto, la comunidad puertorriquena de Illinois celebrara el dia de la bandera puertorriquena el 9 de junio en honor Estado libre asociado de Puerto Rico; y

Por Cuanto, esta semana de festividades patrioticas promoveran la cultura y la unidad de la comunidad puertorriquena en Illinois;

Por Tanto, yo, James R. Thompson, Gobernador del Estado de Illinois, resuelvo proclamar la semana des 5 al 10 de junio de 1990, como LA SEMANA DE LAS FIESTAS PATRONALES DE PUERTO RICO en Illinois, reconociendo la comunidad puertorriquena y su contribucion al desarrollo des Estado de Illinois.

Issued by the Governor June 1, 1990.

Filed with the Secretary of State June 4, 1990.

90-286

SAFETY WEEK

Whereas, the American Society of Safety Engineers (ASSE) has instituted this year's "Play It Straight For Safety's Sake" campaign to educate workers and employers about the issues of drugs and alcohol in the workplace; and

Whereas, the theme was selected due to an increase of accidents in the workplace that resulted from drug and alcohol use. Reportedly, 10 to 23 percent of all U.S. workers use dangerous drugs at the workplace, causing 3.6 times more accidents than drug-free workers; and

Whereas, the Greater Chicago Chapter of the ASSE strongly supports the "Play It Safe For Safety's Sake" campaign because of its members' great concern for the well-being of all workers and citizens in Illinois;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim June 24-30, 1990, as SAFETY WEEK in Illinois. I urge citizens to recognize the importance of safety in the workplace and to take strides to eliminate the tragedies that take place when workers use drugs and alcohol on the job.

Issued by the Governor June 1, 1990.

Filed with the Secretary of State June 4, 1990.

90-287

DISASTER AREAS - SEVERAL COUNTIES

A series of tornados and associated severe thunderstorms and damaging winds struck Southeastern Illinois on the evening of June 2, creating loss of life and personal injuries, serious public service disruptions and extensive damages to real and personal property, business enterprises, and farms in affected counties.

In the interest of aiding those citizens who have suffered losses and to minimize any further impact on public health, safety and welfare of our citizens, I hereby declare the counties of Clay, Crawford, Edgar, Edwards, Jasper, Lawrence, Richland, Shelby, Wabash and Wayne to be State of Illinois Disaster Areas, pursuant to the provisions of Section 7(a) of the "Illinois Emergency Services and Disaster Agency Act of 1988" (Ill. Rev. Stat., 1989, ch.127, par. 1051, et seq.).

This gubernatorial declaration of disaster will aid the Illinois Emergency Services and Disaster Agency in coordinating other State agency resources in the disaster recovery operations; provide for the reassessment of real and personal property substantially damaged by the storms; and make possible any requests for federal disaster assistance.

Issued by the Governor June 3, 1990.

Filed with the Secretary of State June 4, 1990.

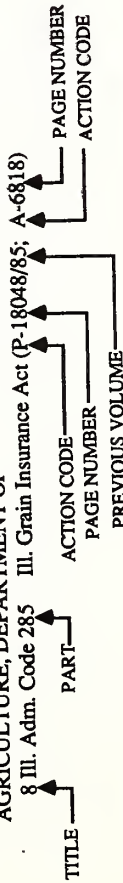
JCAR - Joint Committee on Administrative Rules

ACTION CODES

- | | |
|--|--|
| A - Adopted Rule | P - Proposed Rule |
| AR - Adopted Repealer | PF - Prohibited Filing Ordered by JCAR |
| C - Notice of Corrections | PP - Peremptory or Court ordered Rules |
| CC - Codification Changes | PR - Proposed Repealer |
| E - Emergency Rule | R - Refusal to meet JCAR objection |
| ER - Emergency Repealer | RC - Statement of Recommendation |
| M - Modification to meet JCAR objections | S - Suspension ordered by JCAR |
| O - JCAR Statement of Objections | W - Withdrawal to meet JCAR objections |

EXAMPLE:

AGRICULTURE, DEPARTMENT OF



ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

AGING, DEPARTMENT ON

- 89 Ill. Adm. Code 240 Community Care Program (P-1077) (P-13638/89; O-17144/89; R-1553) (P-13353/89; A-1253)
- 89 Ill. Adm. Code 230 Older Americans Act Programs (P-14499/89; A-2308)

AGRICULTURE, DEPARTMENT OF

- 8 Ill. Adm. Code 110 Animal Diagnostic Laboratory Act (P-15911/89; A-1907) (P-16861/89; A-3416) (P-8759)
- 8 Ill. Adm. Code 75 Bovine Brucellosis (P-15915/89; A-1911)
- 8 Ill. Adm. Code 85 Diseased Animals (P-15926/89; A-1919) (P-8768)
- 8 Ill. Adm. Code 80 III. Bovine Tuberculosis Eradication Act (P-15938/89; A-1931)
- 8 Ill. Adm. Code 115 III. Pseudorabies Control Act (P-15942/89; A-1935) (P-19329/89; A-5065) (P-8773)
- 8 Ill. Adm. Code 40 Livestock Auction Markets (P-15950/89; A-1943)
- 8 Ill. Adm. Code 45 Marketing Center (Livestock) (P-15956/89; A-1949)
- 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (P-16625/89; A-3424) (PP-4953)
- 8 Ill. Adm. Code 850 Motor Fuel Standards Act (P-19837/89; A-5072)
- 2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-584) (A-4093) (A-9009)
- 8 Ill. Adm. Code 5 Standardization of Agriculture Products (P-3711)
- 8 Ill. Adm. Code 100 Swine Brucellosis (P-15960/89; A-1953)
- 8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (P-15968/89; A-1961) (P-8777)

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- 86 Ill. Adm. Code 2000 III. Estate & Generation - Skipping Transfer Tax Act (P-4281)

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- 89 Ill. Adm. Code 300 Reports of Child Abuse & Neglect (P-20159/89; C-2684)
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- 14 Ill. Adm. Code 520 Enterprise Zone Program (P-15975/89; A-3445)
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- 56 Ill. Adm. Code 2610 Training Services for the Disadvantaged (P-5017/89; A-1976)
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- 83 Ill. Adm. Code 760 Cellular Radio Exclusion (P-13358/89; A-3037)
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- 83 Ill. Adm. Code 900 Joint Rules of the Ill. Commerce Commission & the Dept. of Energy & Natural Resources: Residential Conservation Plan (PR-12680/89; AR-624)
- 92 Ill. Adm. Code 1300 Minimum Rate (PR-14147/89; AR-3040)
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